

Weinert  
Winfield

York

Absent—Excused

Hill  
Kelley  
Martin

Metcalf  
Smith  
Spears

### Recess

On motion of Senator Mauritz, the Senate, at 11:10 o'clock a. m., took recess until 10:00 o'clock a. m. Monday, May 19, 1941.

## SIXTY-EIGHTH DAY

Continued

(Monday, May 19, 1941)

The Senate met at 10:00 o'clock a. m., and was called to order by President Stevenson.

### Leaves of Absence Granted

Senator Cotten was granted leave of absence for today on account of illness, on motion of Senator Chadick.

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Smith.

Senator Shivers was granted leave of absence for today on account of important business, on motion of Senator Moore.

### Address of Hon. Coke R. Stevenson

On motion of Senator Winfield and by unanimous consent, the following address of Hon. Coke R. Stevenson, Lieutenant Governor, at the ceremonies on the State Capitol grounds on yesterday to celebrate "I Am an American Day" was ordered printed in the Journal:

Mayor Miller, Chief Justice Alexander, Ladies and Gentlemen and My Friends Everywhere:

The significance of this day is one that can not be overestimated. It is somewhat like the custom of standing up in the old "camp meetin," to show which side we were on. We who enjoy the privileges of the American way of life do not need a stimulant. We who enjoy its blessings do not need any argument in its favor. We

who shoulder its responsibilities need nothing to convince us of its ever-living presence.

There is no necessity of a badge on the lapel of most of us. To advertise that one is an American is to create a shadow of doubt. It is somewhat analogous to advertise that one is honest. The man who labels himself as an honest man admits that his honesty has been questioned. If he is honest, his neighbors know it, and if he is indeed honest, he needs no spokesman to proclaim the fact. This is somewhat like the story of the mother who admonished her child never to ask a stranger what state he was from. She said, "If he is from any state other than Texas it will be embarrassing to him to admit it, and if he is from Texas, you will know it soon enough."

The same may be said of all of us who are true Americans. It would be embarrassing to admit that we are anything else except Americans in thought and deed, and if we are truly such, the world will learn of it soon enough.

There is occasion, however, for us to show the colors under which we march. We are accustomed to watching the flag of our country wave over federal possessions. But on special occasions each of us unfurls his own flag, even though it is the common banner—the stars and stripes forever, the colors of all humanity, red, white and blue. In such manner we celebrate the 4th of July, the 11th of November and Washington's birthday.

Referring again to that great American institution, the camp meeting, we are reminded of heroic spirits who rededicated themselves to the forces of righteousness. It was regarded as an opportunity, not for advertising one's virtues, but to reaffirm one's devotion to the ideals which prompted those virtues.

And so, today, we seize the opportunity to reaffirm our faith in the ideals of a system of living which we know as the American way.

The chief purpose of the "I Am an American Day" is that of reconsecration for those of us who are distinctly American. The chief value of this day to those who have recently become Americans is one of education. Let us keep in mind these

twin purposes; reconsecration of the stalwart American and the education of the novice in American ideals. Education will not be resented by any of us, because, as Will Rogers said: "Everybody is ignorant, only on different subjects."

There is no test of race or religion to determine an American. A true American is one who is devoted to certain ideals of life which have been developed under our peculiar system of freedom. This freedom has been sought after throughout the ages by the depressed and the down-trodden.

Great progress has been made by the races of mankind as they have paraded the pages of history in an endeavor to free the body and the spirit from the bonds of the oppressor.

Much progress was made when the yeomanry of England wrested the concessions embodied in Magna Carta from King John at Runnymede in the year 1215. It is now more than 700 years since these apostles of liberty established the fundamentals of political freedom for the Anglo-Saxon race. This was the forerunner of many of the efforts in the Old World to free mankind from the chains of physical and mental slavery.

No slave of whatever character can be free. And no soul that yearns for liberty can be a slave. Progress in eliminating slavery in varying degrees was accomplished on the continent of Europe in the several centuries which followed the advent of Magna Carta. Most of these accomplishments were accompanied by violence and shedding of blood. Many a man and his mate sacrificed their lives in order that their children might enjoy some measure of liberty and freedom.

The ruling classes made no concessions without a violent struggle. The ambition for power and for wealth and the right to rule is one that has never been suppressed voluntarily. It has never been surrendered by those who exercise it except upon the insistent demands of the oppressed.

How fortunate then that the realm of the autocrat and the tyrant was never established in these United States. The first settlements within

our boundaries were made by people who were fleeing from the rigors of autocracy and tyranny in the lands across the sea. They believed in certain ideals and tenets of life and sought a new land in which to establish them. They believed in certain standards by which the physical, mental and moral qualities of men ought to be measured. They sought here a new opportunity to perpetuate these standards.

It would have been easy for the first settlers to have seized the reins of power and to have established tyranny and autocracy in this fair land of ours. There was no voice to tell them nay. There was no force to dispute with them in the exercise of authority in this new and virgin soil. The fact that such a system of government was not established is an index to the mind of the first Americans. It illustrates the views they held with reference to the rights of mankind.

It is true there were temporary periods in the life of the early colonists when the spirit of tyranny threatened the peace and prosperity of our forefathers. There were incidents such as the witchcraft period; and when religious fervor reached the zeal of a crusading force sufficient to threaten the liberties they had so recently embraced. It is a tribute, however, to the resourcefulness of our forefathers that they emerged finally victorious over every obstacle which the enemies of our American way of life hurled at them.

Most of the early settlers came here to enjoy religious liberty as well as political and intellectual liberty. The adherents of certain denominations settled as groups in various places. The Congregationalists in New England, the Baptists in Rhode Island, the Dutch Reformed sects in New York and New Jersey, the Quakers in Pennsylvania, the Catholics in Maryland, the Episcopalians in the Virginias and the Carolinas, and the Methodists in Georgia.

The unity of faith in these respective colonies prevailed to such an extent that at the time of the Revolutionary War, nine of the colonies had established a state religion. This was an encroachment on religious liberty which our leading statesmen acknowledged and sought to abolish.

When our present Federal Government was established, a complete separation of church from state and government from religion was provided for. It has remained so until this present time and the only reason for reference to that period of our history which witnessed these encroachments on our liberties is to illustrate the struggles which these same liberties have encountered in order to be perpetuated.

Then for three quarters of a century the pattern of our liberty was clouded by the existence of physical slavery. This was finally abolished by the Civil War, another struggle involving four years of terrific bloodshed and economic destruction. Many of us in the southland do not approve of the methods employed by the conquering forces in this struggle.

We now realize, however, that it was a triumph for the fundamental principles of liberty. We could not now enslave any species of the human race without recognizing the right of another man to enslave us if he possessed the power to do so. We must never admit that such a right exists.

A true American rebels at the thought of physical, mental or moral bondage. We, who reconsecrate ourselves today to the ideals of America, have only to remember the cornerstones of our national existence. They are political, spiritual, intellectual and economic rights and privileges of all the people. They are emblazoned throughout our dominion in signs so plain that he who runs may read. They have been the architects of the freedom which we enjoy. They have been the craftsmen who erected the shrines at which we worship and they are the artists who have ornamented the landscapes of our dwelling places.

In every struggle in which we have engaged for the preservation of the values represented by these ideals contributions have been made by our common effort. Such contributions have enriched our experience, fortified our determination, and justified our admiration.

A century ago Daniel Webster employed the great qualities of his heart and soul in one of these momentous contests to prevent the encroachment of tyrannical conduct. He

pleaded for the preservation of those cardinal principles which have always illuminated the citadels of our living. He said if they were perpetuated in all future generations, every boy and girl would have the privilege of proudly saying, "I am an American."

The maintenance of these ideals is at once the solemn duty and responsibility of each and every citizen. I feel sometimes when I am discoursing on the history and philosophy of the American way of life that perhaps the women of my audience are uninterested. They have only to remember, however, that in no other country on the face of the earth can they enjoy the hundred and one privileges which are bestowed upon them in these United States. These privileges are not the result of an accident, but they are the products of constant effort in the development of the American way of life.

In every country which destroys freedom women are the first victims. When the power of might asserts itself, the body of a woman is its most prized possession. She becomes the slave of caprice, the victim of desire, and the recipient of man's unbridled cruelty. Every message from the Old World today accentuates the miserable plight of women and children in those countries which have been outraged by the tyrant's heel.

The first concern of American women should be to uphold the hands of those who would preserve the privileges and benefits which she now enjoys. It may involve some sacrifice to maintain it. It may mean that she, like her husband, will be called upon to support our government with "toil, and sweat, and blood and tears."

She should always remember that despite our love for peace we have been a nation of fighters when our rights are threatened. The Revolutionary War, the War of 1812, the Texas Revolution, the Mexican War, the Civil War, the Spanish-American War, and the World War were all engaged in by us in defense of our American ideals. We still adore the ways of peace. But I know that any threat to our ideals of life will insure a call to arms and that we will fight again in order to maintain the institutions which we so proudly cherish.

On this day of national observance of the spirit of Americanism it is unnecessary to enumerate the benefits enjoyed by us under our present high standard of living. It is enough to remember without recounting. If it were necessary to enumerate them we could name them one by one until the lack of language forced a pause. It also is enough to point out that our entire standard of living is threatened today by the same forces of tyranny and oppression which have always sought to rob us of our heritage. We have been forcibly impressed by a statement in the recent expose of un-American activities by the author of "Out of the Night" that the convicts in American penitentiaries enjoy more liberties and comforts than the common citizens of the totalitarian states.

Hitherto we have always fought to repel the enemy and to preserve the heritage. My belief is that we will do so in the present crisis. The ism-borer from within and the covetous menace from without will be resisted to the last resource of an aroused people. If this means the necessity for war, then let us make the best of it, regrettable as the occasion may be. We should not abandon hope, however, that by redoubling our efforts in the National Defense Program we can forestall any attack upon us by the dictators of the Old World. If all of our citizens will become aroused to the necessity of concerted action, I have no doubt that the intensity of purpose displayed by us will create a profound impression upon the dictators. The forces represented by Mussolini and Hitler will realize the effect of the consternation in their ranks which the assertion of our rights will produce. Included in these is the right to protect our first line of defense. The outposts of this line are now being held by the gallant forces of the British Empire. Whatever policy may be laid down by our President in regard to aiding these defenses of our civilization should receive the unstinted and undivided support of every inhabitant of this country. Every person among us who enjoys the benefits of the American way should be proud to support the Commander-in-Chief in his efforts to maintain them.

And may we always in the contemplation of our cause of action be

guided by the sentiments expressed by Lowell at a time when we were witnessing the storms of another crisis and he expressed the faith of every true American in these words:

"Truth forever on the scaffold,  
Wrong forever on the throne,  
Yet that scaffold sways the future  
And behind the dim unknown  
Standeth God within the shadows  
Keeping watch above his own."

#### Senate Bills on First Reading

The following local bills were introduced, read first time and referred to the Committee on Counties and County Boundaries:

By Senator Lovelady:

S. B. No. 472, A bill to be entitled "An Act creating and establishing Erath County Road District No. 4 in Erath County, Texas, under Article III, Section 52 of the Constitution of Texas; for the purpose of the construction, operation and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds (2/3) vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the district; providing that in awarding contracts for road construction the commissioners' court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the district hereby created is also included in other road districts having outstanding bonds shall not affect the district hereby created or its powers hereby granted; determining that all of the lands in said district shall be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

By Senator Lovelady:

S. B. No. 473, A bill to be entitled "An Act creating and establishing Erath County Road District No. 5 in Erath County, Texas, under Article III, Section 52, of the Constitution of Texas, for the purpose of the construction, operation and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds (2/3) vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the district; providing that in awarding contracts for road construction the commissioners' court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the district hereby created is also included in another road district having outstanding bonds shall not affect the district hereby created or its powers hereby granted; determining that all of the lands in said district shall be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

#### **Honoring Mrs. Coke R. Stevenson and Honorable Bob Barker**

On motion of Senator Fain and by unanimous consent, the following article appearing in Tom Martin's "Sage of the Sage Hills" column of the Austin Statesman was ordered printed in the Journal:

**"The Sage of the Sage Hills"**  
Tom Martin Says

The Senate employees gave a party the other night for Uncle Bob Barker and Mrs. Coke Stevenson. I'm not a-dishin' out the superlatives when I say that they rank right among the top notchers in popularity around

the capitol. And their respective wife and husband are equally loved by all who know them. It did my old heart good to see how the employees of the Senate took on over this couple. Yes sir, they are a swell lot of folks.

Mrs. Stevenson is one of God's gifts to Texas. Her philosophy of life is very simple. She just treats everybody like they were intended to be treated. It doesn't make a bit of difference to her whether she is talking to the ambassadors or the porters she treats them like they were humans. That's why everyone worships her. People detest phoney pallaver. There's nobody fooled by it except the person that's a-dishin' it out. I could pound this old Oliver until sundown and I couldn't say a word that hasn't already been said about this lovable person. She's a thoroughbred if there ever was one.

Bob Barker is like the volunteer fireman's monument down in the capitol grounds. He is just as staple. He expressed it better than any one else, when he said: "I've lied for everyone of you." Now that's the real test of a friend. Bob Barker has done a lot of stalling for other people in his life. He told me one time that he had never seen a feller who served in the legislature who hadn't intended to do the right thing. He said: "You know, they all get off on the wrong foot sometimes but they all want to do what's right." Two swell persons, Uncle Bob and Mrs. Coke.

#### **Conference Committee on House Bill 29**

Senator Sulak called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 29.

Senator Sulak moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Sulak, Graves, Martin, Moffett and Mauritz.

#### **House Bill 942 Ordered Mimeographed**

On motion of Senator Moffett and by unanimous consent, it was ordered that H. B. No. 942 be mimeographed.

## Senate Resolution 141

Senator Moffett, by unanimous consent, offered at this time the following resolution:

Whereas, On this 19th day of May, 1941, Professor A. F. Edwards, head of the Department of History and Government at Hardin Junior College, in the City of Wichita Falls, Texas, and a large number of students in said department of Hardin Junior College, are visiting in the City of Austin for the purpose of observing the operations of the State Government, and are now present in the gallery of the Senate of Texas; and

Whereas, Professor A. F. Edwards is one of the outstanding men in his field of work in Texas, and furthermore, is widely known as a radio commentator, having given daily summarizations for several years over Station KWFT, of Wichita Falls, Texas, concerning current events, and more particularly the outstanding episodes of the current European War; and

Whereas, The visitations of students of government in the various colleges of Texas to the Capital of their State should be encouraged, in order that they may thereby obtain first hand knowledge of the actual operations of their government; and

Whereas, The above mentioned students in the gallery today have traveled a long distance in order to accomplish this very purpose; now, therefore, be it

Resolved, That the Senate of Texas, by this resolution, does recognize this fine group of Junior College students, and that in further recognition of their visit, that their instructor and leader, Professor A. F. Edwards, be extended the privileges of the floor of the Senate for the day.

The resolution was read, and by unanimous consent, it was considered and adopted at this time.

#### Resolution Adopted by Big Bend Park Association

On motion of Senator Winfield and by unanimous consent, the following resolution of the Texas Big Bend Park Association was read to the Senate and ordered printed in the Journal:

Whereas, The Big Bend Park Association organized under the laws of the State of Texas in 1938 for the

sole purpose of making the Big Bend area of Texas a national park as a tourist magnet; and

Whereas, Both the Senate and the House of Representatives of the State of Texas have, after due deliberation, voted to acquire lands needed for the Big Bend National Park as an investment and a tourist attraction for the purpose of obtaining for this State its rightful share of the tourist business which has become the nation's third largest industry with an annual turnover of more than \$5,751,000,000; and

Whereas, By their actions the two Houses of the State Legislature are furthering a movement made possible by an Act of Congress signed by President Roosevelt in 1935 giving national park status to the Big Bend area; and

Whereas, The two Houses of the State Legislature are, by their acts, proceeding to fulfill the expressed wish of President Roosevelt that he may soon be able to dedicate the Big Bend area as the nation's twenty-seventh national park; therefore, be it

Resolved by the directors, congressional district and county chairmen of the Texas Big Bend Park Association now in session in Mineral Wells, Texas, That the members of both Houses of the Legislature of the State of Texas are to be commended for their wisdom in providing for the acquisition of the lands needed to make the Big Bend National Park a reality; and, be it further

Resolved, That by the adoption of this resolution the Texas Big Bend Park Association expresses its appreciation of the work done by the Senators and Representatives of our State in providing for the acquisition of the needed lands and expresses the hope that the free Conference Committee representing the two Houses of our State Legislature will find a way to provide for deeding of the lands to the United States in such form that they will be acceptable to the National Park Service; and, be it

Resolved, That this resolution be made part of the minutes of this meeting and that copies be sent to Hon. Coke R. Stevenson, Lieutenant Governor of the State of Texas, and to the Hon. Homer Leonard, Speaker of the House of Representatives, to be read to both Houses of the Legislature at the convenience of the members.

This resolution was unanimously adopted at the meeting of the Texas Big Bend Park Association at the Baker Hotel in the City of Mineral Wells on the 15th day of May, 1941.

Approved as a true copy of the resolution adopted:

AMON G. CARTER,  
President, Texas Big Bend Park Association.

#### Reports of Standing Committees

Senator Moffett, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

H. B. No. 310, A bill to be entitled "An Act to amend Chapter 7, Title 93, of the Revised Civil Statutes of Texas of 1925, as amended, pertaining to weight per bushel or barrel, by amending Article 5734; repealing weights per bushel, barrel, and cubic yard for certain commodities; defining the terms 'ton' and 'cord'; describing the method for stacking and measuring wood; repealing Article 5735 and all other laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Aikin, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 472, A bill to be entitled "An Act creating and establishing Erath County Road District No. 4 in Erath County, Texas, under Article III, Section 52 of the Constitution of Texas; for the purpose of the construction, operation and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body

corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds (2/3) vote of the property tax-paying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the district; providing that in awarding contracts for road construction the commissioners' court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the district hereby created is also included in other road districts having outstanding bonds shall not affect the district hereby created or its powers hereby granted; determining that all of the lands in said district shall be benefited by additional road improvements; providing that the provisions of the Act shall prevail in the event or conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

Have had the same under consideration, and beg leave to report back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Vice Chairman.

Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 473, A bill to be entitled "An Act creating and establishing Erath County Road District No. 5 in Erath County, Texas, under Article III, Section 52 of the Constitution of Texas, for the purpose of the construction, operation and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds (2/3) vote of the property tax-paying voters voting at an election; prescribing the method of calling and conducting such



election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the district; providing that in awarding contracts for road construction the commissioners' court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the district hereby created is also included in another road district having outstanding bonds shall not affect the district hereby created or its powers hereby granted; determining that all of the lands in said district shall be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

Have had the same under consideration, and beg leave to report back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Vice Chairman.

#### Message from the House

The Assistant Reading Clerk of the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that:

The House has adopted the Conference Committee report on S. B. No. 312 by a vote of 103 ayes, 0 noes.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### Afternoon Session to Consider Local and Uncontested Bills

On motion of Senator Aikin and by unanimous consent, the Senate agreed to hold a session this afternoon, instead of tonight as previously agreed, to consider local and uncontested bills, pursuant to S. R. No. 63.

#### Senate Bill 472 on Second Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 472 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Mauritz	

Absent

Beck Martin

Absent—Excused

Cotten	Shivers
Hill	Spears

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

#### Senate Bill 472 on Third Reading

The President then laid S. B. No. 472 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Mauritz	

Absent

Beck Martin



## Absent—Excused

Cotten  
HillShivers  
Spears

## Senate Bill 473 on Second Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 473 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Mauritz	

## Absent

Beck

Martin

## Absent—Excused

Cotten  
HillShivers  
Spears

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

## Senate Bill 473 on Third Reading

The President then laid S. B. No. 473 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Mauritz	

## Absent

Beck

Martin

## Absent—Excused

Cotten  
HillShivers  
Spears

## Senate Bill 474 on First Reading

Senator Van Zandt moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Mauritz	

## Absent

Beck

Martin

## Absent—Excused

Cotten  
HillShivers  
Spears

The following bill then was introduced, read first time and referred to the Committee on State Affairs:

By Senators Van Zandt, Weinert, Shivers, Moore and Chadick:

S. B. No. 474, A bill to be entitled "An Act defining and limiting the term 'intrastate business' as used in Article XIV, H. B. No. 8, Acts of the Regular Session, Forty-seventh Legislature; and declaring an emergency."

Senate Joint Resolution 3 on  
Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 3, A joint resolution to amend the Constitution of the State of Texas, by adopting a new Section, which shall provide that the Court of Criminal Appeals of Texas may sit at any time during the year for the transaction of business, and that its

term shall begin and end with each calendar year; repealing existing provisions in conflict therewith; providing for the holding of an election; prescribing the form of ballot; directing the Governor to issue the necessary proclamation; and making an appropriation.

The joint resolution was read second time.

Senator Moffett offered the following amendment to the joint resolution:

Amend S. J. R. No. 3 by inserting the following in the blank spaces in the first paragraph in Section 3 of said resolution, the same being the appropriate date for holding the election provided for in the resolution: "3rd day of November, 1942."

The amendment was adopted.

The resolution was passed to engrossment by the following vote:

Yeas—14

Aikin	Lovelady
Chadick	Metcalf
Fain	Moffett
Formby	Moore
Hazlewood	Smith
Isbell	Sulak
Lanning	Van Zandt

Nays—8

Brownlee	Stone
Graves	Weinert
Kelley	Winfield
Lemens	York

Absent

Beck	Ramsey
Martin	Vick
Mauritz	

Absent—Excused

Cotten	Shivers
Hill	Spears

House Bill 351 on Second Reading

Senator Metcalfe moved that the regular order of business be suspended to permit consideration of H. B. No. 351 at this time.

The motion prevailed by the following vote:

Yeas—18

Aikin	Lanning
Brownlee	Lovelady
Chadick	Mauritz
Formby	Metcalf
Hazlewood	Moffett
Kelley	Moore

Smith	Weinert
Sulak	Winfield
Van Zandt	York

Nays—5

Fain	Lemens
Graves	Stone
Isbell	

Absent

Beck	Ramsey
Martin	Vick

Absent—Excused

Cotten	Shivers
Hill	Spears

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 351, A bill to be entitled "An Act providing for the creation of a class of common carrier motor carriers to be known as 'Specialized Motor Carriers' by amending Section 1, Chapter 314, Acts 1929, Forty-first Legislature, Regular Session page 698, as amended by Section 1, Chapter 277, Acts 1931, Forty-second Legislature, Regular Session, page 480, by adding Subsection (i), defining 'Specialized Motor Carriers,' Subsection (j), defining 'Special Facilities' and Subsection (k), defining 'Special Motor Vehicles'; amending Section 5, Chapter 314, Acts 1929, Forty-first Legislature; Regular Session, page 698, as amended by Section 5, Chapter 277, Acts 1931, Forty-second Legislature, Regular Session, page 480, by adding Subsection 5 (a), providing for the issuance to 'Specialized Motor Carriers' of certificates of public convenience and necessity by the Railroad Commission, providing that no 'Specialized Motor Carriers' shall operate over highways of this State without first having obtained a certificate of public convenience and necessity, and providing for the sale, assignment, lease, transfer and inheritance of such certificates; etc."

The bill was read second time.

Senate Bill 475 on First Reading

Senator Mauritz moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Mauritz	

Absent

Beck	Martin
------	--------

Absent—Excused

Cotten	Shivers
Hill	Spears

The following bill then was introduced, read first time and referred to the Committee on Public Buildings and Grounds:

By Senator Mauritz:

S. B. No. 475, A bill to be entitled "An Act accepting title to and establishing King's State Park and setting up a board of commissioners to advise and assist the Board of Control in the improvement, care and preservation of said park."

#### House Bill 351 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B. No. 351, relating to specialized motor carriers, on its passage to third reading.

Senator Metcalfe offered the following (committee) amendment to the bill:

(1)

Amend H. B. No. 351, Section 4, by striking out all of Subsection (b) and substituting in lieu thereof the following:

"(b) No motor carrier shall transport oil field equipment, household goods, used office furniture and equipment, livestock, milk, livestock feedstuff, grain, farm machinery, timber in its natural state, wool or mohair, on any highway in this State unless there is in force with respect to such carrier and such carrier is the owner or lessee of a certificate of convenience and necessity issued pursuant to a finding and containing a declaration that the public convenience and necessity require such operation or contract carrier permit issued by the Commission, authorizing the transportation of such commodity or commodities; providing that nothing herein shall modify, restrict, or add to the authority of the common carrier motor carriers operating under certificates of convenience and necessity issued by the Commission, nor shall any person who now holds or who may hereafter hold a certificate of convenience and necessity to operate as a common carrier be granted any certificate of convenience and necessity to operate as a Specialized Motor Carrier; provided further that any person to whom a 'Special Commodity' permit for the transportation of any or all of said commodities had been issued under the provisions of Section 6, paragraph (d), Article 911b, Title 25, Revised Civil Statutes of the State of Texas, 1925, as amended, if such 'Special Commodity' permit shall have been in force and effect on January 1, 1941, and if such person or predecessor in interest may desire to continue in the business of a motor carrier of such commodity or commodities shall file an application for a certificate of convenience and necessity under the terms of this Act within sixty (60) days after the effective date hereof, it shall be the duty of the Commission to issue without further proof a certificate authorizing the operation as a 'Specialized Motor Carrier' for the transportation of such commodity or commodities covered by the 'Special Commodity' permit held by the applicant, which 'Specialized Motor Carrier' certificate shall be issued to the applicant and include all the rights and privileges granted under said 'Special Commodity' permit."

ience and necessity issued pursuant to a finding and containing a declaration that the public convenience and necessity require such operation or contract carrier permit issued by the Commission, authorizing the transportation of such commodity or commodities; providing that nothing herein shall modify, restrict, or add to the authority of the common carrier motor carriers operating under certificates of convenience and necessity issued by the Commission, nor shall any person who now holds or who may hereafter hold a certificate of convenience and necessity to operate as a common carrier be granted any certificate of convenience and necessity to operate as a Specialized Motor Carrier; provided further that any person to whom a 'Special Commodity' permit for the transportation of any or all of said commodities had been issued under the provisions of Section 6, paragraph (d), Article 911b, Title 25, Revised Civil Statutes of the State of Texas, 1925, as amended, if such 'Special Commodity' permit shall have been in force and effect on January 1, 1941, and if such person or predecessor in interest may desire to continue in the business of a motor carrier of such commodity or commodities shall file an application for a certificate of convenience and necessity under the terms of this Act within sixty (60) days after the effective date hereof, it shall be the duty of the Commission to issue without further proof a certificate authorizing the operation as a 'Specialized Motor Carrier' for the transportation of such commodity or commodities covered by the 'Special Commodity' permit held by the applicant, which 'Specialized Motor Carrier' certificate shall be issued to the applicant and include all the rights and privileges granted under said 'Special Commodity' permit."

Senator Stone offered the following substitute for the (committee) amendment (1):

Amend House Bill No. 351, Section 4, by striking out all of Subsection (b) and substituting in lieu thereof the following:

"(b) No motor carrier shall transport oilfield equipment, household goods, used office furniture and equipment, livestock, milk, livestock feedstuff, grain, farm machinery, timber in its natural state, wool or mohair, on any highway in this state

unless there is in force with respect to such carrier and such carrier is the owner or lessee of a certificate of convenience and necessity issued pursuant to a finding and containing a declaration that the public convenience and necessity requires such operation or a contract carrier permit issued by the Commission, authorizing the transportation of such commodity or commodities; provided that nothing herein shall modify, restrict, or add to, the authority of the common carrier motor carriers operating under certificates of convenience and necessity now or hereafter issued by the Commission to operate as a common carrier of commodities generally be granted any certificate of convenience and necessity to operate as a Specialized Motor Carrier; provided further that any person to whom a special commodity permit for the transportation of any or all of said commodities had been issued under the provisions of Section 6, paragraph (d), Article 911 (b), Title 25, Revised Civil Statutes of the State of Texas, 1925, as amended, if such special commodity permit shall have been in force and effect on January 1, 1941, and if such person or predecessor in interest shall have actually engaged in the business of transporting any or all of such commodities and shall have actually transported such commodity or commodities, as the case may be, on or prior to January 1, 1941, and since that time, or if engaged in furnishing seasonal service only, was in actual operation on, prior and since January 1, 1941, during the season ordinarily covered by its operation, who may desire to continue in the business of a motor carrier of such commodity or commodities actually transported, shall file an application for a certificate of convenience and necessity under the terms of this Act within sixty (60) days after the effective date thereof, and unless protest against any such application shall be filed with the Commission, as provided herein, it shall be the duty of the Commission to issue without further proof a certificate authorizing operation as a specialized motor carrier for the transportation of such commodity or commodities actually transported on or prior to January 1, 1941, and since that time, or if engaged in furnishing seasonal services only, such commodity or

commodities actually transported during the season ordinarily covered by its operations, as the case may be, within the territory or area or from or to the point or between the points provided in such former special commodity, and such certificate shall authorize the transportation of all said commodity or commodities within the territory or area or from or to the point or between the points provided in such former Special Commodity Permit, and in the same manner and only to the same extent as authorized by such former special commodity permit and the rules and regulations of the Commission; also in the same manner and only to the same extent as authorized by general orders of the Commission that were in effect on January 1, 1941. At any time within sixty (60) days after the filing of any such application, any carrier affected by any such application filed under this section, may file with the Commission a protest against the application, but such protest to be considered by the Commission must be in writing and filed with the Commission within the specified sixty (60) days, and shall set forth the reasons for said protest, and in the event protest is filed against any such application of any existing motor carrier, hearing upon such application and protest shall be had, and if the Commission shall find that such motor carrier was issued such former special commodity permit, that such permit was in force and effect on January 1, 1941, and that such motor carrier or predecessors in interest were actually engaged in the business of transporting such commodity or commodities, as the case may be, on or prior to January 1, 1941, and since that time, or if engaged in furnishing seasonal service only, was in actual operation on, prior and since January 1, 1941, during the season ordinarily covered by its operation, then the Commission shall issue without requiring further proof that public convenience and necessity will be served by such operation, a certificate of convenience and necessity authorizing operation as a specialized motor carrier for the transportation of the commodity or commodities included in such former special commodity permit as were transported on or prior to January 1, 1941, and since that time, or if engaged in furnishing seasonal

service only, the commodity or commodities actually transported during the season ordinarily covered by its operation, as the case may be, within the territory or area or from or to the point or between the points provided in such former special commodity permit, and such certificate shall authorize the transportation of said commodity or commodities within the territory or area or from or to the point or between the points provided in such former special commodity permit, and in the same manner and to the same extent as authorized by such former special commodity permit, and the rules and regulations of the Commission; also in the same manner and only to the same extent as authorized by the general orders of the Commission that were in effect on January 1, 1941. Any person now engaged in the transportation of oilfield equipment or household goods and used office furniture and equipment, livestock, milk, livestock feedstuff, grain, farm machinery, timber in its natural state, or wool and mohair, under a Special Commodity Permit, when this section takes effect, may continue such operation as authorized by such Special Commodity Permit for a period of sixty (60) days thereafter without a certificate, and, if an application for certificate to operate a 'Specialized Motor Carrier' is made to the Commission with such period, the carrier may continue such operation, pending determination of his application, provided such carrier complies with the law and the rules, rates and regulations of the Commission. Upon the expiration of sixty (60) days after this section takes effect, the Commission shall cancel all Special Commodity Permits theretofore issued by the Commission under Section 6 (d) of Article 911b of Title 25, Revised Civil Statutes of the State of Texas, 1925, as amended."

Senator Smith moved to table the substitute.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—17

Aikin	Lanning
Brownlee	Lovelady
Formby	Martin
Hazlewood	Mauritz
Kelley	Metcalf

Moffett  
Ramsey  
Smith  
Vick

Weinert  
Winfield  
York

Nays—10

Beck  
Chadick  
Fain  
Graves  
Isbell

Lemens  
Moore  
Stone  
Sulak  
Van Zandt

Absent—Excused

Cotten  
Hill

Shivers  
Spears

Senator Aikin offered the following amendment to the (committee) amendment (1):

Amend H. B. 351, page 7, line 4, by striking out the words, "the public convenience and," and insert the following "a".

The amendment to the (committee) amendment (1) was adopted by the following vote:

Yeas—19

Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Isbell  
Lanning  
Martin  
Mauritz

Metcalf  
Moffett  
Ramsey  
Smith  
Sulak  
Vick  
Weinert  
Winfield  
York

Nays—7

Graves  
Hazlewood  
Kelley  
Lemens

Lovelady  
Moore  
Stone

Absent

Van Zandt

Absent—Excused

Cotten  
Hill

Shivers  
Spears

The committee amendment (1) as amended was adopted.

Senator Metcalf offered the following (committee) amendments to the bill:

(2)

Amend H. B. No. 351, Section 4, Subsection (d), by striking out all of said subsection and inserting in lieu thereof the following:

"(d) Before any such application shall be granted, the Commission

shall hear, consider and determine said application in accordance with Sections 8, 9, 11, 12, 13, 13a, 14 and 15 of Chapter 277, Acts of the Forty-first Legislature, Regular Session, as amended (Article 911b, Revised Civil Statutes of the State of Texas, 1925, as amended), and if the Commission shall find any such applicant entitled thereto, it shall issue certificate hereunder on such terms and conditions as is justified by the facts; otherwise said application shall be denied. The Commission shall have no authority to grant any application for a certificate of convenience and necessity authorizing operation as a 'Specialized Motor Carrier' or any other common carrier unless it is established by substantial evidence (1) that the services and facilities of the existing carriers serving the territory or any part thereof are inadequate; (2) that there exists a public necessity for such service, and (3) the public convenience will be promoted by granting said application. The order of the Commission granting said application and the certificate issued thereunder shall be void unless the Commission shall set forth in its order full and complete findings of fact pointing out in detail the inadequacies of the services and facilities of the existing carriers, and the public need for the proposed service, likewise, the Commission shall have no authority to grant any contract carrier application for the transportation of any commodities in any territory or between any points where the existing carriers are rendering, or are capable of rendering, a reasonably adequate service in the transportation of such commodities."

## (3)

Amend H. B. No. 351, Section 3, by striking out all of said section and inserting in lieu thereof the following:

"Sec. 3. That Section 6 (d) of Article 911b of Title 25 of the Revised Civil Statutes of the State of Texas, 1925, as amended, be and the same is hereby amended to read as follows:

"(d) The Railroad Commission is hereby given authority to issue, upon application, to those persons who desire to engage in the business of transporting for hire over the highways of this state livestock, mohair, wool, milk, livestock feedstuffs,

household goods, oil field equipment, timber when in its natural state, farm machinery and grain, 'Specialized Motor Carrier' permits when it is shown by substantial evidence that there exists (1) a public necessity for such service, and that (2) public convenience will be promoted by the granting of said application.

"Such special permits shall be granted upon such term, conditions and restrictions as the Railroad Commission may deem proper, and said Railroad Commission is authorized to make rules and regulations governing such operations, keeping in mind the protection of the highways and the safety of the traveling public.

"Provided that the order of the Commission granting said application, and the certificate issued thereunder shall set forth in its order findings of fact pointing out the inadequacies of the service of the existing carriers and the public need for such proposed service."

The (committee) amendments (2) and (3) were adopted severally.

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 351 by adding the following at the end of Section 4.:

"Nothing in this bill shall be construed to repeal or alter H. B. No. 25, Acts Regular Session Forty-seventh Legislature."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 351 by adding the following:

"The number of employees and the salaries of each shall be as fixed in the Departmental Appropriation bill."

The amendment was adopted.

On motion of Senator Metcalfe and by unanimous consent, the caption was ordered amended to conform to the body of the bill as amended.

The bill was passed to third reading by the following vote:

Yeas—23

Aikin	Formby
Beck	Hazlewood
Brownlee	Kelley
Chadick	Lanning
Fain	Lovelady

Martin	Sulak
Mauritz	Van Zandt
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Ramsey	York
Smith	

Nays—4

Graves	Lemens
Isbell	Stone

Absent—Excused

Cotten	Shivers
Hill	Spears

**House Bill 351 on Third Reading**

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Nays—1

Stone

Absent—Excused

Cotten	Shivers
Hill	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Metcalf
Hazlewood	Moffett

Moore	Vick
Ramsey	Weinert
Smith	Winfield
Sulak	York
Van Zandt	

Nays—2

Isbell	Stone
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Absent—Excused

Cotten	Shivers
Hill	Spears

**Hour for Executive Session Set**

On motion of Senator Martin and by unanimous consent, the Senate agreed to hold an executive session at 11:00 o'clock a. m. tomorrow.

**House Concurrent Resolution 147**

The President laid before the Senate and had read (the resolution having been received from the House today): H. C. R. No. 147, Authorizing certain corrections in enrolled copy of H. B. No. 903.

By unanimous consent, the resolution was considered at this time and was adopted.

**Reports of Standing Committees**

Senator Mauritz, by unanimous consent, submitted at this time the following report:

Floor Committee,  
Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred

S. B. No. 475, A bill to be entitled "An Act accepting title to and establishing King's State Park and setting up a board of commissioners to advise and assist the Board of Control in the improvement, care and preservation of said park."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

MAURITZ, Chairman.



Senator Ramsey, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 476, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 35, Acts of the Fortieth Legislature, First Called Session, as amended by Chapter 28, Acts of the Forty-first Legislature, First Called Session, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, providing for a county auditor for Lavaca County; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 477, A bill to be entitled "An Act fixing the compensation for county commissioners in certain counties; providing the manner of payment and prescribing the funds from which it shall be paid; repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

#### Message from the House

The Assistant Reading Clerk of the House was recognized by the President to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House

has passed the following bill and resolution:

H. B. No. 930, A bill to be entitled "An Act making certain emergency appropriations for the Adjutant General's Department incident to the support of the Texas Defense Guard; and declaring an emergency."

H. C. R. No. 148 Inviting H. V. Kaltenborn to address a joint session of the Legislature.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### Bills Signed

The President signed in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 83, A bill to be entitled "An Act amending Article 3726, Revised Civil Statutes, 1925, as amended by H. B. No. 73, First Called Session, Fortieth Legislature, relating to the admission of recorded instruments without proof; providing that if the land to which the instrument pertains is situated within the county in which the suit is pending, the party desiring to offer in evidence recorded instruments, may do so, without producing the originals thereof and without accounting for his failure to produce such originals, by filing a list of such recorded instruments at least ten days before the trial, giving the volume and page wherein such instruments are recorded; providing that unless an affidavit is filed by the opposite party at least three days before the trial, stating that he believes such instruments of writing to be forged, then the party filing such lists of recorded instruments shall be entitled to read the same from the record; providing that a copy of a list of such recorded instruments shall be filed with the clerk of the county at least three days before the trial of a case; providing that the county clerk shall on the day of the trial deliver, or cause to be delivered, the records so requested to the court in which the trial is pending, without charging for the use of such records; and declaring an emergency."

S. B. No. 292, A bill to be entitled "An Act to create a Governor James Stephen Hogg Memorial Shrine; providing for the appointment of a commission to administer its affairs; to

accept gifts for the purpose of carrying out the provisions of this Act; making an appropriation for the expense of this Act; and declaring an emergency."

S. B. No. 312, A bill to be entitled "An Act authorizing the commissioners' court in counties not embraced in a regularly constituted district attorney's district or criminal district attorney's district and wherein the State of Texas is represented in all criminal matters arising in such county by a county attorney to designate such office as the office of criminal district attorney of such county and to designate the incumbent thereof as the criminal district attorney of such county without in any wise affecting the duties, obligations, qualifications, elections, or emoluments pertaining to such office or the incumbent thereof; declaring the intent of this Act, providing this Act shall be cumulative of all other laws; and declaring an emergency."

#### House Bills on First Reading

The following House bills previously received from the House were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 42, to Committee on State Affairs.

H. B. No. 930, to Committee on Finance.

#### Senate Bill 476 on First Reading

Senator Aikin moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Cotten	Shivers
Hill	Spears

The following bill then was introduced, read first time and referred to the Committee on Finance:

By Senator Aikin:

S. B. No. 476, A bill to be entitled "An Act transferring to the State Highway Fund all unexpended and unobligated balances of appropriations made to the Department of Public Safety for use in paying salaries and other costs of operating the Certificate of Title Division of the Department of Public Safety for the use of the Highway Department in paying salaries and all other costs of operating the Certificate of Title Division of the State Highway Department; making an appropriation of \$15,000 out of the General Revenue Fund in the State Treasury to the State Highway Department for its use in paying any salaries and other expenses necessary to carry out the provisions of H. B. No. 205 passed at the Regular Session of the Forty-seventh Legislature; providing that any amounts expended by the State Highway Department from the appropriation of \$15,000 herein made from the General Revenue Fund shall be repaid by the State Highway Department to the General Revenue Fund from Certificate of Title fees received by the Highway Department during the biennium ending August 31, 1943, and making an appropriation for such purpose; providing that in no event shall salaries paid from the appropriation herein made be in excess of the amounts paid for the same or similar positions in any Department of the State Government; and declaring an emergency."

#### Senate Concurrent Resolution 62

Senator Smith, by unanimous consent, offered the following resolution at this time:

S. C. R. No. 62, Authorizing a loan of guard wire to Carney Independent School District.

Whereas, The State Highway Department of Texas has a large quantity of discarded guard wire in their warehouse in Haskell, Haskell County, Texas; and

Whereas, The Carney Independent School District of Haskell County, Texas anticipates a large number of people attending their recreational center; and

Whereas, It will be necessary and important to said Carney Independent

dent School District to fence the grounds of the park and recreational center; and

Whereas, It will be a great accommodation to such Carney Independent School District, if said highway department permitted said Carney Independent School District the use of the discarded wire hereinabove mentioned for the purpose of fencing the grounds; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the State Highway Department of Texas be authorized to loan to the Carney Independent School District, sufficient quantities of the discarded wire hereinabove mentioned for the purpose as hereinabove set out, said Carney Independent School District to return wire upon request of the State Highway Department, and it is so resolved.

The resolution was read, and by unanimous consent it was considered at this time and was adopted.

#### Senate Joint Resolution 1 on Second Reading

Senator Lanning moved that the regular order of business be suspended to permit consideration of S. J. R. No. 1 at this time.

The motion prevailed by the following vote:

#### Yeas—21

Aikin	Metcalf
Beck	Moore
Brownlee	Ramsey
Fain	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

#### Nays—5

Chadick	Moffett
Formby	Vick
Graves	

#### Absent

Hazlewood

#### Absent—Excused

Cotten	Shivers
Hill	Spears

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 1, A joint resolution proposing an amendment to Article VIII of the Constitution of the State of Texas, by adding thereto a new Section to be known as "Section 7-a" providing that all road-user tax revenues shall be used exclusively for road purposes under the regulations prescribed by the Legislature, excepting that one-fourth ( $\frac{1}{4}$ ) of the net revenues derived from motor fuel taxes are allocated to the State Available School Fund; providing for proclamation, publication and election and appropriating the necessary funds therefor.

The resolution was read second time.

Question—Shall the resolution be passed to engrossment?

#### Recess

On motion of Senator Martin the Senate at 12:05 o'clock p. m. took recess until 2:30 o'clock p. m. today.

#### Afternoon Session

The Senate met at 2:30 o'clock p. m. to consider local and uncontested bills, pursuant to S. R. No. 63, and was called to order by the President.

#### House Concurrent Resolution 148

The President laid before the Senate and had read (the resolution having been received from the House today): H. C. R. No. 148, Inviting H. V. Kaltenborn to address a joint session of the Legislature.

On motion of Senator Lanning and by unanimous consent, the resolution was considered and adopted at this time.

#### Senate Bill 354 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 354, A bill to be entitled "An Act to amend H. B. No. 205, Chapter 213, Page 417, General and Special Laws, Acts of the Forty-fifth Legislature, Regular Session (1937), also known and designated as Article 2815g-1a, of the Revised Civil Statutes of 1925, pertaining to salaries of the County Board of School Trustees

in certain counties; providing that Articles 2815a, 2815b, 2815c, 2815d, 2815e, 2815f, 2815g, and 2815g-1 shall not apply or be applicable to counties of more than two hundred and ninety thousand (290,000) and less than three hundred and fifty thousand (350,000) population, according to the last preceding Federal Census; providing that in such counties that members of the County Board of School Trustees of such counties shall receive Five (\$5.00) Dollars per day for their services in attending meetings, inspecting schools and performing the duties imposed by law; providing that such amount shall be paid out of the general fund of the county; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 354 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 354 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Spears
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Smith
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Fain
Beck	Formby
Brownlee	Graves
Chadick	Hazlewood

Hill	Moore
Isbell	Ramsey
Kelley	Smith
Lanning	Stone
Lemens	Sulak
Lovelady	Van Zandt
Martin	Vick
Mauritz	Weinert
Metcalfe	Winfield
Moffett	York

Absent—Excused

Cotten	Spears
Shivers	

#### Senate Bill 453 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 453, A bill to be entitled "An Act fixing the compensation of county officers in all counties in the State of Texas having a population of more than twenty-nine thousand two hundred and forty (29,240) and less than twenty-nine thousand three hundred and forty (29,340), according to the last preceding Federal Census; repealing all laws and parts of laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

The bill was read second time.

Senator Sulak offered the following amendment to the bill:

Amend S. B. No. 453 by inserting in line 14, Section 1, between the words "per annum" and the word "and" the following: "the county school superintendent shall receive a salary of Two Thousand Five Hundred (\$2,500) Dollars."

The amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 453 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 453 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Hill
Fain	Isbell

Kelley	Ramsey
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalfe	Weinert
Moffett	Winfield
Moore	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 461 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 461, A bill to be entitled "An Act granting the Commissioners' Courts of Crockett, Sutton, Menard, Mason, Kimble, Kerr, Bandera, Real, and Edwards Counties permission to pay out of the General Fund of said counties bounties for the destruction of rattlesnakes and predatory animals; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 461 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 461 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 397 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 397, A bill to be entitled "An Act validating the order of the Commissioners' Court of Bowie County, Texas, which required the county tax assessor and collector to accept in full payment of all county taxes delinquent for the years 1932 and 1933, and due in 1934, the sum of fifty cents on the dollar; and instructing the State Comptroller to

abide by the order of the said Commissioners' Court; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 397 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 397 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 608 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 608, A bill to be entitled "An Act amending H. B. No. 438, Acts of the Regular Session, Forty-sixth Legislature, 1939, by eliminating from the provisions thereof counties having a population of not less than seven thousand seven hundred (7,700) and not more than seven thousand eight hundred (7,800) according to the Federal Census of 1930; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 608 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 608 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Hazlewood
Beck	Hill
Brownlee	Isbell
Chadick	Kelley
Fain	Lanning
Formby	Lemens
Graves	Lovelady

Martin	Stone
Mauritz	Sulak
Metcalfe	Van Zandt
Moffett	Vick
Moore	Weinert
Ramsey	Winfield
Smith	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 609 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 609, A bill to be entitled "An Act amending S. B. No. 367, Acts of the Forty-sixth Legislature, Regular Session, 1939, by eliminating from the provisions thereof all counties having a population of not less than three thousand, three hundred (3,300) and not more than three thousand, four hundred (3,400) according to the Federal Census of 1930; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 609 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 609 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 952 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 952, A bill to be entitled "An Act providing for the use of certain set nets or grill nets in the waters of Montgomery County; specifying conditions under which such nets may be used; providing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 952 on Third Reading

Senator Fain moved that the constitutional rule requiring bills be read on three several days be suspended and that H. B. No. 952 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lemens
Beck	Lovelady
Brownlee	Martin
Chadick	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt



Vick	Winfield
Weinert	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 723 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 723, A bill to be entitled "An Act limiting the tax rate which may be levied in any independent school district situated in any county in this State which county, according to the Federal Census of 1940, had a population of not less than ten thousand four hundred (10,400) and not more than ten thousand six hundred and sixty (10,660), and providing for a bond tax of not to exceed seventy-five (75c) cents on the One Hundred (\$100.00) Dollars valuation of taxable property in any such district, and a maintenance tax of not to exceed seventy-five (75c) cents on the One Hundred (\$100.00) Dollar valuation of taxable property, and further providing that the amount of maintenance tax, together with the amount of bond tax of any such district shall never exceed One and 50/100 (\$1.50) Dollars on the One Hundred (\$100.00) Dollars valuation of taxable property within any such district and if the rate of bond tax, together with the

rate of maintenance tax voted in the district shall at any time exceed One and 50/100 (\$1.50) Dollars on the \$100.00 valuation, such bond tax shall operate to reduce the maintenance tax to the difference between the rate of the bond tax and One and 50/100 (1.50) Dollars, and further providing that no increase of the rate of tax authorized by any previous law shall be made until such action has been authorized by a majority of the votes cast by property taxpaying qualified voters at an election held in any such district for such purpose, and providing that if any part or portion of this Act shall be in conflict with any part or portion of any law of the State, the terms and provisions of this Act shall govern; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 723 on Third Reading**

Senator Formby moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 723 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York

**Absent—Excused**

Cotten	Spears
Shivers	

**House Bill 356 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading.

H. B. No. 356, A bill to be entitled "An Act authorizing the commissioners' court in certain counties to allow each county commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as county commissioner; providing for the payment of the same; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 356 on Third Reading**

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 356 be placed on its third read and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

**Absent—Excused**

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

**Absent—Excused**

Cotten	Spears
Shivers	

**House Bill 633 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 633, A bill to be entitled "An Act amending Article 7212, Revised Civil Statutes of Texas, 1925, providing that when the commissioners' court shall contract with an individual, firm, or corporation for the compilation of taxation data, the compensation of such individual, firm, or corporation shall be paid on a pro rata basis from each fund benefiting by the receipt of any taxes derived from such valuation; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 633 on Third Reading**

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 633 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Graves
Beck	Hazlewood
Brownlee	Hill
Chadick	Isbell
Fain	Kelley
Formby	Lanning

Lemens	Smith
Lovelady	Stone
Martin	Sulak
Mauritz	Van Zandt
Metcalfe	Vick
Moffett	Weinert
Moore	Winfield
Ramsey	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 418 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 418, A bill to be entitled "An Act providing that in counties having a population of fifty-one thousand (51,000) to fifty-one thousand and one hundred (51,100), inclusive, the commissioners' court shall annually set aside from all other county funds the road and bridge fund, which fund shall be budgeted into three (3) equal amounts and providing that the expenditures from said fund for any four-month period of the fiscal year may not exceed one-third (1/3) of the total annual budget; provided that nothing in this Act shall be construed as repealing or affecting the Uniform Budget Law, County Budgets, Articles 689a-9, 10, 11 and 12; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 418 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 418 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 528 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 528, A bill to be entitled "An Act providing for compensation

for county auditor and purchasing agent in certain counties; providing mode and manner of payment of such salary; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 528 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 528 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 889 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 889, A bill to be entitled "An Act authorizing the commissioners' court of any county having a population of not less than twenty thousand, five hundred and fifty-six (20,556) and not more than twenty thousand five hundred and fifty-eight (20,558), according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such commissioner to pay the expense of operation and repair of such automobile so used by him without further expense to the county; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 889 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 889 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York

## Absent—Excused

Cotten	Spears
Shivers	

**House Bill 961 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 961, A bill to be entitled "An Act applicable to and controlling all counties of this State having a population of more than three hundred and ninety thousand (390,000) inhabitants and less than five hundred thousand (500,000) inhabitants according to the last preceding Federal Census; conferring upon the commissioners' court of such counties full power, authority and supervision of all public roads therein, other than State highways, and prescribing the rights, powers and duties of said court over such public roads; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 961 on Third Reading**

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 961 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Lemens
Beck	Lovelady
Brownlee	Martin
Chadick	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt

Vick	Winfield
Weinert	York

## Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

## Absent—Excused

Cotten	Spears
Shivers	

**House Bill 732 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 732, A bill to be entitled "An Act to permit the county board of school trustees in counties having a population of thirty-seven thousand two hundred fifty (37,250) to thirty-eight thousand three hundred fifty (38,350) according to the last preceding Federal Census and a scholastic population of at least eight thousand five hundred (8,500) as shown by the last scholastic report for the preceding school year to employ a rural school supervisor or supervisors to plan, outline and supervise the work of the primary and intermediate grades of the rural schools of the counties, fixing the qualifications, the duties and the salary of such supervisor or supervisors; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 732 on Third Reading**

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and that H. B. No. 732 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 988 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 988, A bill to be entitled "An Act to fix a maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the latest preceding Federal Census, had

a population of not fewer than six hundred and eighty (680) and not more than six hundred and ninety (690) inhabitants, and being in counties containing not less than four thousand fifty (4,050) and not more than four thousand sixty (4,060) inhabitants, according to the last preceding Federal Census, whether organized under a general or special law; repealing all laws conflicting herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 988 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 988 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Chadick	Martin
Fain	Mauritz
Formby	Metcalfe
Graves	Moffett
Hazlewood	Moore
Hill	Ramsey
Isbell	Smith
Kelley	Stone

Sulak  
Van Zandt  
Vick

Weinert  
Winfield  
York

Absent—Excused

Cotten  
Shivers

Spears

#### House Bill 994 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 994, A bill to be entitled "An Act authorizing the county judges and county and district clerks to employ a stenographer or a secretary in any counties having a population of not less than two thousand, eight hundred twenty-five (2,825) and not more than two thousand nine hundred, (2,900) and in counties having not less than six thousand one hundred (6,100) and not more than six thousand one hundred fifty (6,150) inhabitants according to the last preceding Federal Census; regulating the salary of same; providing for payment of salary; providing for removal; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 994 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 994 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood  
Hill  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady

Martin  
Mauritz  
Metcalf  
Moffett  
Moore  
Ramsey  
Smith  
Stone  
Sulak  
Van Zandt  
Vick  
Weinert  
Winfield  
York

Absent—Excused

Cotten  
Shivers

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood  
Hill  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady

Martin  
Mauritz  
Metcalf  
Moffett  
Moore  
Ramsey  
Smith  
Stone  
Sulak  
Van Zandt  
Vick  
Weinert  
Winfield  
York

Absent—Excused

Cotten  
Shivers

Spears

#### House Bill 999 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 999, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Nacogdoches County any wild fox or the pelts thereof; providing that this law shall be enforced for a period of two (2) years; prescribing a penalty for the violation of this Act; and repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 999 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 999 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood

Hill  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady  
Martin  
Mauritz



Metcalfe	Sulak
Moffett	Van Zandt
Moore	Vick
Ramsey	Weinert
Smith	Winfield
Stone	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 1007 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1007, A bill to be entitled "An Act making it unlawful to kill quail in Roberts County, Texas; providing the Act shall be in force for a period of five (5) years; repealing all laws in conflict; providing a penalty for the violation of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 1007 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1007 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 1010 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1010, A bill to be entitled "An Act amending Section 1 of H. B. No. 313, Acts of the Regular Session, Fortieth Legislature, 1927, to change and prescribe the time for holding the terms of district courts in the 47th judicial district; and providing for an emergency."

The bill was read second time and was passed to third reading.

**House Bill 1010 on Third Reading**

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1010 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 1015 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1015, A bill to be entitled "An Act making it unlawful to hunt, kill, or pursue any wild deer, turkey,

or antelope in Collingsworth County, Texas; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 1015 on Third Reading**

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1015 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 1018 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1018, A bill to be entitled "An Act applying only to independent school districts in counties having a population of not less than one thousand, eight hundred forty-three (1,843) and not more than one thousand, nine hundred forty-three (1,943) according to the last preceding Federal Census; authorizing said school districts to fund into time warrants all outstanding obligations of said school districts which existed on May 10, 1941; prescribing the terms and conditions of issuance of said time warrants; authorizing said school districts to borrow money in a sum not to exceed Fourteen Thousand (\$14,000.00) Dollars with which to pay certain outstanding obligations; providing for the levying of a tax to pay the same and fixing the rate of interest thereon; prescribing the terms and conditions of said time warrants; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 1018 on Third Reading**

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1018 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 1023 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1023, A bill to be entitled "An Act exempting Truscott Independent School District of Knox County from county supervision, providing for a separate depository; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 1023 on Third Reading**

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1023 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lemens
Beck	Lovelady
Brownlee	Martin
Chadick	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt

Vick  
Weinert

Winfield  
York

Absent—Excused

Cotten  
Shivers

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 1029 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1029, A bill to be entitled "An Act authorizing and empowering the commissioners' court in counties having a population of more than three hundred and fifty thousand (350,000) and less than four hundred and fifty thousand (450,000) inhabitants, according to the last preceding Federal census, to purchase fire trucks and other fire-fighting equipment for the protection and preservation of bridges, warehouses, shops, and other property located without the limits of any incorporated city or town; authorizing and empowering the commissioners' court to enter into contracts with any centrally located city in the county for the operation and maintenance of any such fire trucks and equipment; providing that the provisions of this Act are cumulative of all of the laws other than special laws; providing that in the event any Section, subdivision, paragraph, sentence, or clause be held unconstitutional, that the remaining portions thereof shall be valid; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 1029 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1029 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin  
Beck  
Brownlee

Chadick  
Fain  
Formby

Graves  
Hazlewood  
Hill  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady  
Martin  
Mauritz  
Metcalf

Moffett  
Moore  
Ramsey  
Smith  
Stone  
Sulak  
Van Zandt  
Vick  
Weinert  
Winfield  
York

Absent—Excused

Cotten  
Shivers

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood  
Hill  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady

Martin  
Mauritz  
Metcalf  
Moffett  
Moore  
Ramsey  
Smith  
Stone  
Sulak  
Van Zandt  
Vick  
Weinert  
Winfield  
York

Absent—Excused

Cotten  
Shivers

Spears

#### House Bill 1031 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1031, A bill to be entitled "An Act regulating fishing in Val Verde County; providing the gear or tackle that may be used; providing an open season; providing a bag or possession limit for different varieties of fish that may be taken; and providing a total bag or possession limit; providing the length of different varieties of fish that may be taken; excepting the Pecos River, the Rio Grande River, and San Felipe Creek from the provisions of this Act; providing a penalty for violating any provisions of this Act; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

### House Bill 1031 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1031 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

### House Concurrent Resolution 115

The President laid before the Senate for consideration at this time:

H. C. R. No. 115, Requesting the serious consideration of the Under-

Secretary of War and the Office of Production Management, Washington, D. C., as to the wonderful possibilities the Texas Panhandle offers for the erection and construction of munitions plants.

The resolution was adopted.

### Senate Bill 102 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 102, A bill to be entitled "An Act fixing a time within which any person having a claim against the State of Texas based on any disbursing order issued, prior to October, 1936, for general or transient relief purposes, by the Texas Relief Commission or the Texas Relief Commission Division of the State Board of Control, or any of their authorized representatives, agents, or employees, shall present the same to the State Department of Public Welfare for approval and payment, or such claim shall be forever barred; fixing a time within which any person, his heirs, assigns or legal representatives, to whom a check was issued, prior to July 1, 1936, for relief purposes by the Texas Relief Commission or The Texas Relief Division of the State Board of Control, or any of their authorized representatives, agents or employees, may present the same for approval and payment to the State Department of Public Welfare, and failure to do so shall forever bar any claim against the State of Texas evidenced by said check or upon the claim to satisfy which said check was given; and declaring an emergency."

The bill was read second time and was passed to engrossment.

### Senate Bill 102 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 102 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hazlewood
Beck	Hill
Brownlee	Isbell
Chadick	Kelley
Fain	Lanning
Formby	Lemens
Graves	Lovelady

Martin	Stone
Mauritz	Sulak
Metcalf	Van Zandt
Moffett	Vick
Moore	Weinert
Ramsey	Winfield
Smith	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill 1023 on Final Passage**

Senator Moffet moved to reconsider the vote by which H. B. No. 1023 was passed today.

The motion prevailed.

The President laid the bill before the Senate on its final passage.

The bill then was passed by the following vote:

Yeas—25

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Fain	Moffett
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Vick
Isbell	Weinert
Kelley	Winfield
Lanning	York
Lemens	

Nays—3

Moore	Van Zandt
Sulak	

Absent—Excused

Cotten	Spears
Shivers	

**Senate Bill 85 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 85, A bill to be entitled "An Act to amend Article 4752, of Chapter 3, Title 78, of the Revised Statutes of 1925, relating to limited capital stock life, accident and health insurance companies, removing the restriction that such companies shall

have power only to transact business within this State; and declaring an emergency and providing the Act shall take effect from and after its passage."

The bill was read second time and was passed to engrossment.

**Senate Bill 85 on Third Reading**

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 85 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 341 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 341, A bill to be entitled "An Act authorizing and directing the Comptroller of Public Accounts and the Treasurer of the State of Texas to cancel and charge off as worthless and uncollectable Two Hundred Ninety-five Thousand Eight Hundred (\$295,800) Dollars in bonds issued by the Houston Tap and Brazoria Railway Company, which are held by the Treasurer in the account of the Permanent Free School Fund together with all claims and charges for or on account of interest thereon; directing that the bonds when canceled shall be given into the custody of the State Librarian; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 341 on Third Reading**

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 341 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill 342 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 342, A bill to be entitled "An Act authorizing and directing the Comptroller of Public Accounts and the Treasurer of the State of Texas to cancel and charge off certain bonds issued in the name of the Houston and Texas Central Railway Company and the Washington County Railroad Company and certain bonds issued by the Buffalo Bayou, Brazos and Colorado Railway Company which were assumed by the Gulf, Harrisburg and San Antonio Railway Company; directing that such bonds when canceled shall be delivered to the companies which were obligated for their payment; authorizing and directing the transfer of certain sums from the Available School Fund to the State Permanent School Fund for the purpose of adjusting the accounts between said funds upon transactions relating to said bonds; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 342 on Third Reading**

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 342 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 222 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment.

S. B. No. 222, A bill to be entitled "An Act amending Article 7331 of the Revised Civil Statutes of Texas, 1925, [relating to certificates of redemption]; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 222 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 222 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 155 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 155, A bill to be entitled "An Act enacting a new Article of the Penal Code of Texas, to be known as Article 1391a, defining the offense of burglary of a motor vehicle; prescribing the punishment therefor; and declaring an emergency."

The bill was read second time.

Senator Lovelady offered the following (committee) amendment to the bill:

Amend S. B. No. 155 by striking out Section 3 thereof and inserting in lieu thereof the following:

"Section 3. One guilty of burglary of a motor vehicle shall be confined in the penitentiary for not more than (5) five years or by fine not to exceed (\$200) Two Hundred Dollars, or by imprisonment in jail not to exceed one hundred (100) days, or by such fine and imprisonment."

Amend the caption accordingly.

The (committee) amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 155 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 155 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Vote

Senator Formby asked that he be recorded as voting "nay" on the final passage of the bill.



**Senate Bills 196 and 197 Tabled**

On motion of Senator Van Zandt and by unanimous consent, S. B. No. 196 and S. B. No. 197 were tabled.

**Senate Bill 271 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 271, A bill to be entitled "An Act declaring that members of the Army, Navy or Marine Corps forces stationed in this State, so far as appertains to hunting and fishing, shall be given the same privileges as are given to residents of this State; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 271 on Third Reading**

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Hill
Fain	Isbell

Kelley	Ramsey
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalf	Weinert
Moffett	Winfield
Moore	York

Absent—Excused

Cotten	Spears
Shivers	

**Senate Bill 284 on Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 284, A bill to be entitled "An Act relating to taxes in common and independent school districts; authorizing districts to increase tax levies for debt service to One (\$1.00) Dollar and total tax for maintenance and bonds to not more than One and 50/100 (\$1.50) Dollars, under the circumstances prescribed in this Act; and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. No. 284, Section 1, by adding after the words, "which such district may have issued" the words, "prior to passage of this Act," and by inserting in the caption of S. B. No. 284 after the words, "for debt service to One (\$1.00) Dollar" the words, "in some instances."

The amendment was adopted.

The bill was passed to engrossment.

**Senate Bill 284 on Third Reading**

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 284 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Chadick	Lemens
Fain	Lovelady
Formby	Martin
Graves	Mauritz
Hazlewood	Metcalf
Hill	Moffett

Moore	Van Zandt
Ramsey	Vick
Smith	Weinert
Stone	Winfield
Sulak	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Isbell, Lovelady and Weinert asked to be recorded as voting "nay" on the passage of the bill.

#### Senate Bill 297 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 297, A bill to be entitled "An Act to amend Article 883 of the Revised Civil Statutes of Texas 1925, relating to the limitation or restriction of the liability of railroads and other common carriers as it exists at common law; providing that said railroads shall not limit or restrict their liability as such by any general or special notices or by inserting exceptions in the bill of lading or memorandum given upon the receipt of the goods for transportation, or in any other manner and providing that no special agreement in contravention of this Act shall be valid, providing that a requirement of notice or claim consistent with the provisions of Article 5546 of the Revised Civil Statutes of Texas, 1925, as a condition precedent to the enforcement of any claim for loss, damage or delay, or either or any of them, whether inserted in a bill of lading or other contract or arrangement for carriage, or otherwise provided, shall be valid and is not hereby prohibited; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 297 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 297 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### Senate Bill 316 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 316, A bill to be entitled "An Act amending Section 1, S. B. No. 192, Chapter 180, page 449, General Laws of the Thirty-ninth Legislature, Regular Session, 1925, to provide that any person who for four (4) years or more has been the holder of a State first grade certificate or its equivalent and who can furnish evidence of successful experience in

teaching in the public schools for four (4) or more sessions subsequent to September 1, 1910, shall be entitled to receive a State permanent first grade certificate; and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendments to the bill:

(1)

Amend the caption to S. B. No. 316 by striking out the word "four" where it occurs the second time in such caption and inserting in lieu thereof the word "six."

(2)

Amend S. B. No. 316, Section 1, by striking out the word "four" where it occurs the second time in said Section, and supplement in lieu thereof the word "six."

The amendments were adopted severally.

The bill was passed to engrossment.

#### Senate Bill 316 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 316 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 351 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 351, A bill to be entitled "An Act amending subdivision 1 of Chapter 2 of Title 86 of the Revised Civil Statutes of 1925; providing for a board of examiners of land surveyors; providing for the organization of said board; defining the duties of said board; providing for examinations to be given by said board; providing for licensed land surveyor's seal; defining the term of surveyor's license; providing for the revocation of surveyor's license in certain cases and the resignation of licensees; providing for surveyor's oath and bond; providing that no license shall issue to a non-resident; defining the authority of surveyors licensed hereunder; providing for the recordation of field notes by licensed land surveyors; defining the duty of licensed land surveyors in regard to undisclosed land; defining the compensation of licensed land surveyors; defining who shall make certified copies and certificates of fact from the records of the county surveyor's office; providing for disposal of fees collected by said board; providing that no person shall be authorized to perform the duties of a licensed land surveyor without first standing and passing the examination provided for herein and obtaining a license; and declaring an emergency."

The bill was read second time.

Senator Smith offered the following (committee) amendments to the bill:

(1)

Amend S. B. No. 351 by striking out the last sentence in Art. 5268 as shown in Section 1 of such bill and substituting in lieu thereof the following:

"Nothing in this Act shall affect or limit the terms of office of the present members of such board and they shall continue to hold such office until the expiration of the terms for which they have been appointed, and then the Governor shall make the two (2) and four (4) year appointments as provided herein."

(2)

Amend S. B. No. 351 by striking out the following words as shown in Art. 5269 of Section 1 of such bill:

"Within thirty (30) days after appointment by the Governor, as pro-

vided in Art. 5268," and substituting in lieu thereof the following: "Within thirty (30) days after the effective date of this Act."

(3)

Amend the caption of S. B. No. 351 to read as follows:

"An Act amending subdivision 1 of Chapter 2 of Title 86 of the Revised Civil Statutes of 1925; providing for a board of examiners of land surveyors; providing that nothing in this Act shall affect the terms of the present members of such board and that the appointments herein provided shall be made at the expiration of such terms; providing for the organization of said board; defining the duties of said board; providing for examinations to be given by said board; providing for licensed land surveyor's seal; defining the term of surveyor's license; providing for the revocation of surveyor's license in certain cases and the resignation of Licensees; providing for surveyor's oath and bond; providing that no license shall issue to a non-resident; defining the authority of surveyor licensed hereunder; providing for the recordation of field notes by licensed land surveyors; defining the duty of licensed land surveyors in regard to undisclosed land; defining the compensation of licensed land surveyors; defining who shall make certified copies and certificates of fact from the records of the county surveyor's office; providing for disposal of fees collected by said board; providing that no person shall be authorized to perform the duties of a licensed land surveyor without first standing and passing the examination provided for herein and obtaining a license; and declaring an emergency."

The amendments were adopted severally.

The bill was passed to engrossment.

#### Senate Bill 351 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York

#### Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Committee Substitute Senate Bill 269 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 269, A bill to be entitled "An Act to amend Articles 3927 and 3928, Revised Civil Statutes, 1925; providing the effective date of the Act; repealing all Acts inconsistent herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Committee Substitute Senate Bill 269 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

## Absent—Excused

Cotten  
Shivers

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 277 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 277, A bill to be entitled "An Act providing for preference of employment in all State Departments of this State of widows and widowed mothers of soldiers, sailors, nurses and marines of the Army and Navy of the United States in the late Spanish-American and Philippine Insurrection Wars, in the China Relief Expedition, the late World War of the Allied Nations, and the present National Defense Program and any conflicts arising in connection therewith; providing per cent of preference; providing mode and manner of ascertaining said per cent; providing qualifications for applicant; and providing exemptions from said Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 277 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 277 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

## Absent—Excused

Cotten  
Shivers

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 227 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 227, A bill to be entitled "An Act repealing Articles 1322 and 1323 of the Penal Code of the State of Texas, Revision of 1925; prohibiting the wilfull and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any insured personal property owned by himself, or of any personal property belonging to another, of a value exceeding Twenty-Five (\$25.00) Dollars; prescribing a penalty for the violation of the provisions of this Act; prohibiting the wilfull and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any personal property belonging to another of a value exceeding Twenty-five (\$25.00) Dollars; prescribing a penalty for violation of the provisions of this Act; prohibiting the wilfull and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any insured personal property owned by himself of a value of less than Twenty-five (\$25.00) Dollars; prescribing a penalty for violation of the provisions of this Act; prohibiting the wilfull and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any personal property belonging to another; the value of which property is less than Twenty-five (\$25.00) Dollars; prescribing a penalty for violation of the provisions of this Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 227 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and that S. B. No. 227 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 358 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 358, A bill to be entitled "An Act amending Article 1041, Title 15, Code of Criminal Procedure, Revision of 1925, as amended by S. B. No. 101, Chapter 7, of the Forty-fifth Legislature, Regular Session, by providing that in counties having a population in excess of seventy-five thousand (75,000) inhabitants according to the last preceding or any future Federal Census, the commissioners' court may allow each jail guard, jailer, matron or turnkey, a monthly salary of One Hundred Fifty (\$150.00) Dollars per month; and declaring an emergency."

The bill was read second time.

Senator Stone offered the following amendment to the bill:

Amend S. B. No. 358 by striking out all of Section 1 thereof and by inserting in lieu thereof the following:

"Section 1. That Article 1041, Title 15, Code of Criminal Procedure, Revision of 1925, as amended by S. B. No. 101, Chapter 7 of the Regular Session of the Forty-fifth Legislature,

be and the same is hereby amended so as to hereafter read as follows:

Article 1041. Guards and Matrons—The sheriff shall be allowed for each guard or matron necessarily employed in the safe-keeping of prisoners Two and 50/100 (\$2.50) Dollars for each day. No allowance shall be made for the board of such guard or matron, nor shall any allowance be made for jailer or turnkey, except in counties having a population in excess of forty thousand (40,000) inhabitants according to the last preceding or any future Federal Census. In such counties of forty thousand (40,000) or more inhabitants, the commissioners' court may allow each jail guard, matron, jailer and turnkey Four and 50/100 (\$4.50) Dollars per day; provided that in counties having a population in excess of seventy-five thousand (75,000) inhabitants and less than three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding or any future Federal Census, the commissioners' court of such counties may allow each jail guard, jailer, matron and turnkey a monthly salary of One Hundred and Fifty (\$150.00) Dollars per month; provided further that, in counties having a population in excess of three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding or any future Federal Census, each jail guard, matron, jailer and turnkey shall be paid not less than One Hundred and Seventy-five (\$175.00) Dollars per month."

Amend the caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

#### Senate Bill 358 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 358 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Chadick	Lanning
Fain	Lemens
Formby	Lovelady
Graves	Martin
Hazlewood	Mauritz

Metcalf	Sulak
Moffett	Van Zandt
Moore	Vick
Ramsey	Weinert
Smith	Winfield
Stone	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 34 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 34, A bill to be entitled "An Act to provide for the appointment of Commissioners to the National Conference of Commissioners on Uniform State Laws; providing their term of office; defining their duties; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 34 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 34 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 752 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 752, A bill to be entitled "An Act providing for the annexation of territory not embraced in a water improvement district; prescribing the manner of such annexation; providing for filing of petition for annexation, notice and hearing thereon; providing that annexation shall not become final until ratified at separate elections held for that purpose; prescribing the manner of holding said elections, and the vote required for ratification; providing that upon a favorable vote the added territory shall be and become a part of the district as of the date of elections and subject to all laws governing such district, and shall bear its pro rata part of all indebtedness or taxes that may be owed, contracted, or authorized by said district to which it shall have been added; providing that such addition shall not affect the officers, employees and affairs of such district, and that voters of such added territory shall have right to participate in all matters of the district considered or voted upon thereafter; providing that the provisions of the Act shall be cumulative of and in addition to all other laws providing for the addition of territory to water improvement districts; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 752 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 752 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Chadick	Lanning
Fain	Lemens
Formby	Lovelady
Graves	Martin
Hazlewood	Mauritz

Metcalf	Sulak
Moffett	Van Zandt
Moore	Vick
Ramsey	Weinert
Smith	Winfield
Stone	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 683 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 683, A bill to be entitled "An Act providing that it shall be unlawful for any person to kill, wound, shoot at, hurt or molest any wild animals, wild birds, or wild fowl found within the bounds of any public park under the control of the Texas State Parks Board, at any season of the year, providing a penalty; and authorizing any peace officer to arrest without warrant for a violation of any provision of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 683 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 683 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 153 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 153, A bill to be entitled "An Act regulating the possession of the carcass of deer or part of same and the storage of same; repealing conflicting laws; providing a suitable penalty for violation of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.



**House Bill 153 on Third Reading**

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill 876 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 876, A bill to be entitled "An Act repealing Article 500 of the Revised Statutes of Texas, 1925."

The bill was read second time and was passed to third reading.

**House Bill 876 on Third Reading**

Senator Ramsey moved that the constitutional rules requiring bills to be read on three several days be suspended and that H. B. No. 876 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Hill
Fain	Isbell

Kelley	Ramsey
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalfe	Weinert
Moffett	Winfield
Moore	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 877 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 877, A bill to be entitled "An Act repealing Article 501 of the Revised Statutes of Texas, 1925."

The bill was read second time and was passed to third reading.

**House Bill 877 on Third Reading**

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 877 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 878 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 878, A bill to be entitled "An Act amending Article 502 of the Revised Statutes of Texas, 1925, providing the method of conversion of State banking corporations into National banking corporations, and validating purported conversions of National banking corporations under prior law; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 878 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to

be read on three several days be suspended and that H. B. No. 878 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 879 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 879, A bill to be entitled "An Act to amend H. B. No. 546, Acts of the Fortieth Legislature, 1927, page 289, Chapter 202, Section 1, providing for the amendment of the charter of corporations organized under the pro-

visions of Title 16, of the Revised Statutes of Texas, 1925, for the purpose of increasing or decreasing capital stock, to change name, to adopt trust powers and for any other lawful purpose, including the extension of time of corporate existence for a period of not exceeding fifty years from the effective date of amendment, and providing for the adoption of the powers of commercial banks and banks and trust companies by Morris Plan Banks through amendment of its charter; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 879 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 879 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Metcalfe
Hazlewood	Moffett
Hill	Moore
Isbell	Ramsey

Smith	Vick
Stone	Weinert
Sulak	Winfield
Van Zandt	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 880 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 880, A bill to be entitled "An Act providing for the preservation of bank examiners' reports and correspondence files and for the preservation of the books, records and files of insolvent banks, and further providing for the destruction of such reports and correspondence and sale or destruction of such books, records and files of insolvent banks; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 880 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 880 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 716 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 716, A bill to be entitled "An Act amending Article 3955 and Article 3959, Title 63, of the Revised Civil Statutes of 1925, so as to provide for fire escapes for school houses of two or more stories in height; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 716 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 716 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 139 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 139, A bill to be entitled "An Act validating all zoning ordinances and amendments thereto heretofore passed by the legislative bodies of cities and incorporated villages pursuant to Chapter 283, Acts of the Fortieth Legislature and declaring such ordinances to be in full force and effect, insofar as the required procedure and public notices for the passages of such ordinances and the publication of such ordinances is concerned, as if passed in strict compliance with all the requirements of Chapter 283, Acts of the Fortieth Legislature and other applicable General Laws of the State of Texas and charter provisions; providing that this Act shall not apply to any proceedings in which the validity of the procedure for the passage of such ordinances or the regularity of the publication of such ordinances has been contested or attacked in suit or litigation which is pending at the time this Act becomes a law; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 139 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Chadick	Lanning
Fain	Lemens
Formby	Lovelady
Graves	Martin
Hazlewood	Mauritz

Metcalf	Sulak
Moffett	Van Zandt
Moore	Vick
Ramsey	Weinert
Smith	Winfield
Stone	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 953 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 953, A bill to be entitled "An Act amending Chapter 76, passed at the First Called Session of the Forty-third Legislature; and declaring an emergency."

The bill was read second time.

Senator Weinert offered the following amendments to the bill:

(1)

Amend H. B. No. 953 by adding thereto a new Section to be numbered 1a and to read as follows:

"It shall be unlawful for any person, firm, association, or corporation to withdraw any water from the Guadalupe River or Comal River or any tributaries of such rivers or springs emptying into such rivers, or either of them, for the purpose of transporting such water to any point or points located outside of the natural water sheds of such rivers.

"Any such withdrawal or attempted withdrawal of water from said rivers, springs, and/or tributaries may be enjoined in a suit for injunction brought by any person, municipality or corporation owning riparian rights in or along said rivers. The venue of such suits shall be in the district court of the county where such withdrawal or attempted withdrawal occurred."

(2)

Amend the caption to conform to the body of the bill.

The amendments were adopted severally.

The bill was passed to third reading.

#### House Bill 953 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 953 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 285 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 285, A bill to be entitled "An Act amending Section 9, Chap-

ter 15, General Laws, Forty-first Legislature, Second Called Session, to provide that any person violating any of the provisions of this Act may be prosecuted therefor in any county of this State where such violation occurs; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 285 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 285 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 750 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 750, A bill to be entitled "An Act amending Chapter 39, Acts of the Forty-fourth Legislature, by adding thereto Section 3 providing that the authority conferred on the court to alter, change, or supersede the provisions of judgments providing for the support of minor children, and authority conferred up on the court to enforce such judgments may be exercised by the judge of said

court in vacation; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 750 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 750 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 751 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 751, A bill to be entitled "An Act repealing H. B. No. 430, Acts of the Regular Session of the Forty-sixth Legislature, same being Article 7466f, Vernon's Civil Statutes of Texas; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 751 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 751 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote.

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 962 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 962, A bill to be entitled "An Act authorizing the board of directors of the Agricultural and Mechanical College of Texas, for the use and benefit of John Tarleton Agricultural College to construct or acquire, and equip not more than two dormitories, or to construct and equip additions to not more than two existing dormitories; authorizing and

requiring said board to fix fees, rentals, and charges for the use of such dormitories and to make parietal rules concerning the same; authorizing the issuance of negotiable revenue bonds payable from and secured by revenues from such dormitories and of certain dormitories hertofore or hereafter constructed or acquired; authorizing the issuance of negotiable refunding bonds, and of refunding and construction bonds, secured by and payable from revenues as herein provided; providing that bonds authorized in this Act shall not constitute an indebtedness of the State of Texas, or of said board of directors, or of said institution and that the holders of such revenue bonds shall never have the right to demand payment out of funds other than those pledged for their payment; authorizing under named restrictions use of a portion of the local funds to prevent or relieve a default or to create or maintain a reserve for such bonds; requiring approval of such bonds by the Attorney General, and prescribing the effect thereof; requiring registration by the Comptroller of Public Accounts; making this Act cumulative of other laws but giving precedence to the provisions of this Act; enacting other provisions relating to the subject hereof; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 962 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 962 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

## Absent—Excused

Cotten                      Spears  
Shivers

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

## Absent—Excused

Cotten                      Spears  
Shivers

## House Bill 973 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 973, A bill to be entitled "An Act authorizing the commissioners' court of any county in this State to call an election for the purpose of issuing bonds or warrants for the purpose of acquiring tracts of land and constructing buildings and improvements thereon for an agricultural experiment station; authorizing said commissioners' court to levy and collect a tax sufficient to pay the annual interest and to provide a sinking fund for the payment of the principal at maturity; providing that the election shall be held under provisions of Title 28, Chapter 1 and 2, Revised Civil Statutes of 1925; authorizing commissioners' court to lease any experiment station acquired under authority of this Act to the State of Texas or to any agency of the Federal government; and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 973 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 973 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

## Absent—Excused

Cotten                      Spears  
Shivers

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

## Absent—Excused

Cotten                      Spears  
Shivers

## House Bill 981 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 981, A bill to be entitled "An Act permitting estates of de-



ceased Texas citizens, and others being administered within its jurisdiction, to take advantage of savings in Federal income taxes, authorized under Section 162 of the Federal Internal Revenue Code, by providing that where the estate of a deceased person is being administered under the direction, control and orders of a county court in the exercise of its probate jurisdiction, upon the application of the executor or administrator of said estate, or any interested party, after notice thereof as provided for in Sections 6 and 7 of H. B. No. 112, Chapter 446 of the Forty-fourth Legislature, Second Called Session, 1935, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 981 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 981 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Hill
Fain	Isbell

Kelley	Ramsey
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalf	Weinert
Moffett	Winfield
Moore	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 993 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 993, A bill to be entitled "An Act to amend Title 5, Article 176, of the Revised Civil Statutes of the State of Texas (1925) by adding a new Article to be designated as Article 176-A; providing that reports of alien ownership of land may be filed on or before the last day of December, 1941; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 993 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 993 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 1016 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1016, A bill to be entitled "An Act to amend Sections 1, 5, 6, 7, and 8 of S. B. No. 47, Acts Forty-fifth Legislature, Regular Session, carrying into effect Section 46a of Article III of the Constitution of the State of Texas which established a Teacher Retirement System of Texas; by defining words and phrases used in the Act; providing for the creation, management and distribution of the Teacher Savings Fund, the State Membership Accumulation Fund, the Membership Annuity Reserve Fund, the Interest Fund, the Permanent Retirement Fund, the Expense Fund, and the Prior Service Annuity Reserve Fund of said system; providing for retirement of members and the method and manner of computing and paying retirement benefits and return of contributions; providing the method of financing said system; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 1016 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1016 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

#### House Bill 1008 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1008, A bill to be entitled "An Act relating to the payment to the county judges in counties of not less than seven thousand and fifty (7,050) and not more than seven thousand and seventy-five (7,075) population, according to the last preceding Federal Census of a compensation for the services of such county judges as budget officers of the counties;

providing for the payment of such compensation out of the general fund and/or officers' salary fund of such counties in addition to any and all compensation now provided by law to be paid such county judges; repealing all laws or parts of laws, special and general, in conflict or inconsistent with the provisions of this Act; providing effective date of this Act; and declaring an emergency."

The bill was read second time.

Senator Isbell offered the following amendments to the bill:

(1)

Amend H. B. No. 1008 by striking out the words "and/or officers' salary fund" in line 5 of Section 1 on page 1.

(2)

Amend H. B. No. 1008 by striking out the words and figures "One Thousand (\$1,000.00) Dollars" in line 6, Section 1, page 1, and insert in lieu thereof the words and figures "Three Hundred (\$300.00) Dollars."

(3)

Amend the caption to conform.

The amendments were adopted severally.

The bill was passed to third reading.

#### House Bill 1008 on Third Reading

Senator Isbell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1008 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 974 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 974, A bill to be entitled "An Act to amend Section 18, Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended by Section 2 of H. B. No. 614, Acts of the Regular Session of the Forty-sixth Legislature, to provide that any citizen of Texas wishing to file the record of any birth, not previously registered, may submit such record to the probate court in the county where such person resides rather than where the birth occurred, as now required; and declaring an emergency."

The bill was read second time.

Senator Lemens offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 974, page 3, line 2 of the last paragraph of Section 1, by inserting after the word "death" and before the comma, the following words: "that occurred in Texas."

(2)

Amend H. B. Bill 974, page 3, Section 1, last paragraph, line 4, by adding after the word "such" and before the word "death" the following phrase: "birth or."

(3)

Amend H. B. No. 974, page 3, Section 1, line 4, by striking out the following: "where such person resides or."

(4)

Amend H. B. No. 974, Section 1, line 1 on page 4, by adding immediately following the word "certificates" the following:

"And provided further that any citizen of the State of Texas wishing to file the record of any birth or death that occurred outside of the State of Texas, not previously registered, may submit to the probate court in the county where he resides a record of that birth or death written on the adopted forms of birth and death certificates."

(5)

Amend the caption to conform.

The amendments were adopted severally.

The bill was passed to third reading.

### Senate Bill 379 on Second Reading

On motion of Senator Van Zandt and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 379 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 379, A bill to be entitled "An Act regulating commissions and renewal contracts of agents with life insurance companies doing business in Texas whose books and records are not located in Texas; providing that commissions and renewal contracts are non-forfeitable by insurer; providing for liability for insurer in certain cases; and declaring an emergency."

The bill was read second time and was passed to engrossment.

### Senate Bill 379 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 379 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

### Senate Bill 111 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 111, A bill to be entitled "An Act amending Article 7343, of the Revised Civil Statutes of Texas of 1925, permitting governing bodies of incorporated cities or towns to employ attorneys residing in adjacent counties in the collection of delinquent taxes, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency and providing the Act shall take effect from and after its passage."

The bill was read second time and was passed to engrossment.

### Senate Bill 111 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 111 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Chadick	Lemens
Fain	Lovelady
Formby	Martin
Graves	Mauritz
Hazlewood	Metcalf
Hill	Moffett

Moore	Van Zandt
Ramsey	Vick
Smith	Weinert
Stone	Winfield
Sulak	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Vote

Senator Isbell asked to be recorded as voting "nay" on the passage of the bill.

## Senate Bill 475 on Second Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 475 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

## Senate Bill 475 on Third Reading

The President then laid S. B. No. 475 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

## Senate Bill 115 on Second Reading

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 115 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 115, A bill to be entitled "An Act making an appropriation of an amount necessary to pay the claim of the American National Bank, of Austin, Texas, a corporation, the sum of Eight Thousand, Eight Hundred Sixty-one and 62/100 (\$8,861.62) Dollars, so appropriated and to be paid out of the State Treasury not otherwise appropriated to reimburse said bank for moneys advanced for the construction of the Auditorium Building at Agricultural & Mechanical College of Texas, said building having been authorized by the Acts of the Thirty-fourth Legislature, First Called Session, 1915, page 104, and said sum being a part of the unexpended balance of said appropriation, this claim having been approved and allowed by the Forty-fifth Legislature in the Acts of 1937, page 919, appearing as an item in the Miscellaneous Claims Appropriation Bill passed at that session of the Legislature, Chapter 404, et. seq., page 905 in the item appearing on page 915, said claim having been adjudicated to be a valid and subsisting claim against The State of Texas by a final judgment of the Honor-

able District Court of Travis County, Texas, for the 98th Judicial District of Texas in a final judgment entered therein on the 14th day of December, A. D. 1938; and declaring an emergency."

The bill was read second time and was passed to engrossment."

#### Senate Bill 115 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 476 on Second Reading

On motion of Senator Sulak and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 476 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 476, A bill to be entitled "An Act amending Article 1654, Revised Civil Statutes of Texas, 1925, as amended by Chapter 35, Acts of the Fortieth Legislature, First Called Session, as amended by Chapter 28, Acts of the Forty-first Legislature, First Called Session, as amended by Chapter 15, Acts of the Forty-second

Legislature, Second Called Session, by adding thereto a new Section to be known as Article 1645f providing for county auditors in counties containing a population of not less than twenty-five thousand, four hundred and fifty (25,450) nor more than twenty-five thousand, five hundred (25,500) according to the last preceding Federal Census; providing for their compensation and the fund from which it shall be paid; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 476 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Metcalf
Hazlewood	Moffett
Hill	Moore
Isbell	Ramsey

Smith	Vick
Stone	Weinert
Sulak	Winfield
Van Zandt	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 477 on Second Reading**

On motion of Senator Sulak and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 477 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 477, A bill to be entitled "An Act fixing the compensation for county commissioners in certain counties; providing the manner of payment and prescribing the funds from which it shall be paid; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 477 on Third Reading**

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 477 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

**House Bill 832 on Second Reading**

On motion of Senator Kelley and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 832 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 832, A bill to be entitled "An Act amending Article 2370, Revised Civil Statutes of Texas, 1925, by providing that the commissioners' court of any county may, when necessary, furnish suitable quarters, other than the courthouse, for holding court and carrying on other public business and may rent such part of any such quarters not necessary for public use; etc.; and declaring an emergency."

The bill was read second time.

Senator Kelley offered the following amendment to the bill:

Amend Section 2, H. B. No. 832, by inserting in line 3, page 2, immediately after the words "for private purposes" and immediately preceding the words "and the Commissioners' Court", the following language: "where such building was acquired by such county in settlement of an obligation owed to the county,"

Amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

## House Bill 832 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 832 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Ramsey
Fain	Smith
Formby	Stone
Graves	Sulak
Hazlewood	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Nays—2

Isbell	Moore
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Absent

Hill

Absent—Excused

Cotten	Spears
Shivers	

## Senate Bill 471 on Second Reading

On motion of Senator Lanning and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 471 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 471, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or any other funds against which claims were originally incurred; providing that before payment of any claims shall be paid from the funds hereby appropriated the same shall have the approval of the State Comptroller and the Attorney General; and provided further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

The bill was read second time.

Senator Weinert offered the following amendment to the bill:

Amend S. B. No. 471 by inserting therein the following:

"To pay M. E. Lovett in settlement of state ad valorem taxes paid on exempt homestead \$26.01."

The amendment was adopted.

Senator Mauritz offered the following amendment to the bill:

Amend S. B. 471 by adding at end of Section 1, the following:

"There is hereby appropriated out of the General Revenue Fund in the State Treasury not otherwise appropriated the sum of Fifty-eight Thousand Four Hundred Ten Dollars and Eleven Cents (\$58,410.11) to refund to the cities of Sinton and Aransas Pass the amount of ad valorem taxes collected and wrongfully remitted to the State Treasury by San Patricio County since September 18, 1939 and being paid into the State Treasury under demand of the State Comptroller of Public Accounts by virtue of House Bill No. 181, Acts of the Regular Session of the Forty-sixth Legislature. Since the Tax Assessor-Collector of San Patricio has wrongfully and erroneously remitted to the State Treasury the moneys which should have been paid to the cities of Sinton and Aransas Pass it is nec-



essary that this appropriation be made to correct such error. The Comptroller of Public Accounts is directed to issue his warrant in compliance with this appropriation.

The amendment was adopted.

#### Record of Vote

Senators Isbell and Lovelady asked to be recorded as voting "nay" on the amendment.

Senator Chadick offered the following amendment.

Amend S. B. No. 471 by adding to such bill an item to be inserted following last item for payment on page 5 of the mimeographed copy the following, and changing the grand total to correspond: "To pay Mrs. B. O. Mehearg for eight statements of fact made in pauper's oaths cases in accordance with Art. —Revised Statutes, 1925 . . . \$404.85."

The amendment was lost by the following vote:

#### Yeas—6

Chadick	Sulak
Formby	Vick
Stone	Winfield

#### Nays—15

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Isbell	Moffett
Kelley	Moore
Lanning	Smith
Lemens	Van Zandt
Lovelady	

#### Absent

Fain	Ramsey
Graves	Weinert
Hazlewood	York
Hill	

#### Absent—Excused

Cotten	Spears
Shivers	

Senator Van Zandt offered the following amendment to the bill:

Amend pending bill by adding a new item thereto to read as follows:

"To pay Reynolds Lowry, and Mrs. Mary Nelson Lowry Nolan, nee Mary Nelson Lowry, share and share alike, in full settlement of their right, title, interest and claim, and the right, title, interest and claim of any and all heirs and representatives of Thos. F. McKinney against the State of Texas, for, or on account of money, property, and credit, and advances of every character furnished by the said Thos. F. McKinney to the Republic of Texas . . . . \$16,942.90.

The amendment was lost.

Senator Aikin offered the following amendment to the bill:

Amend the bill by inserting a new section to read as follows:

That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay past due rent of Armories, from March 1, 1932, to August 31, 1932, under lease to the National Guard of the State of Texas, as herein enumerated.

Fort Worth Building Corporation, Fort Worth, Texas.....	\$ 1,980.00
Merchant & Manufacturers Building Company, Houston, Texas....	445.20
Sam J. Williams, Galveston, Texas.....	390.00
John B. and Cora G. Leeper, Denison, Texas.....	525.00
First National Bank, Brenham, Texas.....	120.00
Travis Investment Co., Inc., San Antonio, Texas.....	600.00
Commercial Realty & Investment Co., San Antonio, Texas.....	3,000.00
Lockhart Lodge, A. F. A. M., Lockhart, Texas.....	450.00
Mrs. Mable Donaldson, Moody, Texas.....	510.00
International Warehouse Company, Inc., El Paso, Texas.....	750.00
W. R. Neyland & Son, Goliad, Texas.....	420.00
H. M. Ainsworth, Luling, Texas.....	480.00
Gonzales Lodge, I. O. O. F., No. 38, Gonzales, Texas.....	420.00
R. D. Miller, Waelder, Texas.....	300.00
City of Brownwood, Brownwood, Texas.....	900.00
Mrs. B. H. Nelton, Santa Anna, Texas.....	450.00
Harbour & Sons, Inc., Coleman, Texas.....	450.00
Claude McCauley, San Antonio, Texas.....	195.00
R. G. Erwin, Agent, Ballinger, Texas.....	260.00

Stephenville Lodge, A. F. A. M. No. 267, Stephenville, Texas.....	360.00
W. E. Hubbard, Sweetwater, Texas.....	510.00
American Legion Post No. 97, Canyon, Texas.....	390.00
H. G. Towle, Snyder, Texas.....	450.00
The Axtel Company, Wichita Falls, Texas.....	1,650.00
City of Stamford, Stamford, Texas.....	450.00
H. H. Hagman, Ranger, Texas.....	450.00
C. F. Kolp, Electra, Texas.....	360.00
Dr. A. W. Dunn, Marshall, Texas.....	660.00
Waco Medical Arts Building Co., Waco, Texas.....	100.00
Buchanan Realty Company, Waco, Texas.....	975.00
City of Houston, Houston, Texas.....	450.00
C. Robinson, Waco, Texas.....	500.00
Tom C. Parks and Chris Aars, Clifton, Texas.....	300.00
J. L. Bummers, Rusk, Texas.....	360.00
City of Mexia, Mexia, Texas.....	360.00
Board of Education, Beaumont, Texas.....	300.00
H. H. Berryman, Alto, Texas.....	180.00
First National Bank, Temple, Texas.....	180.00
J. W. and J. R. Harvey, Caldwell, Texas.....	450.00
L. B. Baldwin, Manager, Huntsville, Texas.....	480.00
Houston Light Guards Veterans' Ass'n., Houston, Texas.....	750.00
J. F. Lyon, Somerville, Texas.....	450.00
E. T. Underwood, Itasca, Texas.....	450.00
Mrs. Julia C. Mayer, Estate, Belton, Texas.....	360.00
Colonial Trust Company, Hillsboro, Texas.....	600.00
H. L. Spencer, West, Texas.....	210.00
Mitchell, Gartner & Walton, Agents, Fort Worth, Texas.....	1,950.00
W. H. Moore, Fort Worth, Texas.....	270.00
A. F. Wood, Athens, Texas.....	600.00
W. A. Howe, Estate, Atlanta, Texas.....	300.00
Louie Richkie, Longview, Texas.....	450.00
Jacob Label, Terrell, Texas.....	450.00
W. A. Taylor, Timpson, Texas.....	390.00
Dallas Infantry Ass'n., Dallas, Texas.....	1,890.00
McClinton & Bowers, Clarksville, Texas.....	360.00
Mrs. Lucile Wilcoxson, Winnsboro, Texas.....	360.00
Maud Burnett, Greenville, Texas.....	450.00
American Legion Post No. 303, Wills Point, Texas.....	300.00
Artillery Riding Club, San Antonio, Texas.....	900.00
J. M. Radford, Abilene, Texas.....	900.00
Plainview Chamber of Commerce & Agriculture, Plainview, Texas.....	960.00
Lon Sellers, Amarillo, Texas.....	2,700.00
A. M. Leftwich, Sr., Lubbock, Texas.....	1,260.00
Texas Technological College, Lubbock, Texas.....	150.00
H. M. and W. A. Helm, Decatur, Texas.....	325.00
West Texas Fair Association, Abilene, Texas.....	600.00
Jacksboro Battery Association, Jacksboro, Texas.....	750.00
The Allen Investment Company, Dallas, Texas.....	180.00
Dallas Artillery Company, Dallas, Texas.....	600.00
J. M. Caviness, Paris, Texas.....	300.00
Mrs. Hewlett Martin, Bonham, Texas.....	540.00
Lamar County Fair Association, Paris, Texas.....	600.00
W. H. Goldsmith, Cleburne, Texas.....	750.00
Parker County Fair Association, Weatherford, Texas.....	750.00
Farmers Cotton Yard, Italy, Texas.....	450.00
Navarro Manufacturing Company, Corsicana, Texas.....	960.00
Sam Rowe, Kerens, Texas.....	600.00
Central East Texas Fair Association, Marshall, Texas.....	900.00
F. E. McCown, Kerens, Texas.....	90.00
The Armory Auditorium Association, Port Arthur, Texas.....	1,500.00
Mr. J. E. Walthall, Bowie, Texas.....	330.00
R. O. Hudspeth and Mrs. F. J. Phillips, Greenville, Texas.....	450.00
Welder, Welder & Buhler, Victoria, Texas.....	390.00

City of Houston, Houston, Texas.....	450.00
R. A. Remschel, Gonzales, Texas.....	600.00
Houston Airport Corporation, Houston, Texas.....	2,100.00
D. S. Ross, Estate, Fort Worth, Texas.....	990.00
The First National Bank, DeKalb, Texas.....	300.00
Dr. Preston Hunt, Texarkana, Texas.....	750.00
Calcasieu Lumber Company, Austin, Texas.....	340.42
Houston Chronicle Publishing Company, Houston, Texas.....	480.00
Houston Cavalry Club, Houston, Texas.....	930.00
T. W. Garrett, Manager, Dallas, Texas.....	240.00
Geo. A. Brewer, Jr., President, Dallas, Texas.....	810.00
Mrs. C. Baratini, Dallas, Texas.....	270.00
John B. Dunlap, President, Dallas, Texas.....	810.00
The Galloping Trooper, Inc., Dallas, Texas.....	750.00
Dallas Cavalry Club, Dallas, Texas.....	750.00
W. C. Hixson and C. K. Bullard, assignees of Wesley Peacock, Jr., and Don Peacock, Dallas, Texas.....	500.00
B. F. Farrar, Dallas, Texas.....	250.00
Mrs. Nathalia Liebreich Frost and Rae Liebreich, Tyler, Texas.....	270.00
Caldwell, Hughes, Delay & Allen, Tyler, Texas.....	300.00
Alamo City Cavalry Club, San Antonio, Texas.....	900.00
Brenham Cavalry Club, Inc., Brenham, Texas.....	750.00
Fort Worth Cavalry Club, Inc., Fort Worth, Texas.....	1,710.00
Mineral Wells Cavalry Club, Mineral Wells, Texas.....	870.00
Estate of Mrs. Virginia Taylor, Deceased, Coleman, Texas.....	90.00
City of Wichita Falls, Wichita Falls, Texas.....	1,625.00
	<b>\$ 68,920.62</b>

The amendment was lost.

Senator Lanning offered the following amendments to the bill:

(1)

Amend S. B. No. 471 by changing item "to pay Bemis Bros. Bag Company \$2200.00" to "\$2220.00."

(2)

Amend S. B. 471 by striking out the item "to pay J. V. Dowdy, Athens, Texas, \$137.03."

The amendments were adopted severally.

The bill was passed to engrossment.

#### Senate Bill 471 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 471 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hazlewood
Beck	Hill
Brownlee	Isbell
Chadick	Kelley
Fain	Lanning
Formby	Lemens
Graves	Lovelady

Martin	Stone
Mauritz	Sulak
Metcalf	Van Zandt
Moffett	Vick
Moore	Weinert
Ramsey	Winfield
Smith	York

Absent—Excused

Cotten	Spears
Shivers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—17

Brownlee	Lemens
Chadick	Lovelady
Formby	Martin
Graves	Mauritz
Hazlewood	Metcalf
Hill	Stone
Isbell	Van Zandt
Kelley	Winfield
Lanning	

Nays—6

Aikin	Smith
Moffett	Sulak
Moore	Vick

## Absent

Beck	Weinert
Fain	York
Ramsey	

## Absent—Excused

Cotten	Spears
Shivers	

## Signing of Bills and Resolutions

The President signed in the presence of the Senate the following bills and resolutions:

H. B. No. 76, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before July 1, 1940, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district and other defined subdivisions of the State provided same are paid on or before June 1, 1941, and providing further that this Act releasing penalties and interest shall not apply to cities, towns and villages and special school districts and independent school districts unless and until the governing body thereof finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of said ad valorem and poll taxes will accelerate the payment thereof; and such governing body has adopted a resolution of ordinance evidencing such finding, and upon the recording of such findings of fact shall have the authority to put in force and effect the provisions hereof as to any such city, town or village or special school district or independent school district, providing for the release of costs under certain circumstances; providing that any one desiring to pay at one time all delinquent taxes for any one year on the same property may so pay without paying other delinquent taxes on the same; providing that all laws in conflict with this Act are expressly suspended, during the term of this Act; providing that if any section, clause, sentence, paragraph or part of the Act be judged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Act; stating the policy of the

Legislature; and declaring an emergency."

H. B. No. 98, A bill to be entitled "An Act authorizing and directing the Board of Regents of the University of Texas to request the War and Navy Departments of the United States to establish and maintain military and naval training at said institution; and authorizing the Board of Regents to enter into contracts for such purposes; authorizing the Board of Regents to establish regulations as to credit toward degree requirements; providing the training shall not be required for entrance or graduation; and declaring an emergency."

H. B. No. 263, A bill to be entitled "An Act to amend Article 4742 of Chapter 3, of Title 78, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 332, A bill to be entitled "An Act to amend Articles 120, 121, 127, 128, 133, 134, and 135 and to repeal Articles 122, 123, 124, 125 and 126 of Chapter Seven, Title Four of the Revised Civil Statutes of Texas, 1925, said Article 120, as hereby amended, to include the contagious disease known as yellows; the contagious disease known as 'peach mosaic'; the contagious disease known as 'phoney peach' and other contagious diseases and other injurious insect pests, and including and naming certain trees and/or plants susceptible to such contagious diseases and/or injurious insect pests; said Article 121, as hereby amended, to include all provisions for determination of nuisances; etc.; provides a saving clause and declares an emergency."

H. B. No. 354, A bill to be entitled "An Act conveying the title of the State of Texas to Lot Number Twelve (12) and Lot Number Thirteen (13) in Block Number Thirty-seven (37), of the original Townsite of Rosenberg, Fort Bend County, Texas, according to the plat of said town appearing of record in Volume P, pages one forty-six (146) and one forty-seven (147) of the Deed Records of Fort Bend County, Texas, acquired by the State under tax sale to Mrs. Millie Wolf, to and for her separate use and benefit; and declaring an emergency."

H. B. No. 431, A bill to be entitled "An Act making it unlawful to sell tickets to any sports event, amusement of entertainment in Texas for

which an admission charge is made, in excess of the purchase price of the ticket appearing thereon, without having procured a license therefor from the Commissioner of Labor Statistics of the State of Texas; prohibiting the granting of any such license to any firm, partnership, association or corporation in the name of such, providing the procedure for the securing of a license and the license fee therefor; prescribing penalties; and declaring an emergency."

H. B. No. 494, A bill to be entitled "An Act authorizing the commissioners' court of any county having a population of not less than sixty thousand (60,000) and not more than eighty thousand (80,000), according to the last United States Census, to rent or let to any landowner any tractor, grader, machinery or equipment belonging to said county to be used exclusively upon land belonging to such owner situated in said county, in the construction of terraces, dikes and ditches for the purposes of said conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs; and declaring an emergency."

H. B. No. 538, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Eight Thousand, Four Hundred and Fifty and 99/100 (\$8,450.99) Dollars, not otherwise appropriated, to cover taxes due by the State of Texas to Fort Bend County, covering the years 1939 and 1940, inclusive; authorizing payment of the appropriation by the Comptroller upon proper statements; and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act providing a special season on Mondays, Wednesdays, and Fridays during the period December 1, to January 16 in Hopkins and Franklin Counties; providing a penalty for violation of this Act, repealing conflicting laws; and declaring an emergency and the effective date of this Act."

H. B. No. 738, A bill to be entitled "An Act to amend Article 177 of Title 4, Chapter 1, of the Code of Criminal Procedure, to include in said Article 177 the offense of conversion by any executor, administrator or guardian having charge of any estate, real, personal, or mixed, etc."

H. B. No. 875, A bill to be entitled "An Act to amend Article 5221-b, Vernon's Annotated Statutes of Texas, as amended, by adding a new Section to be known as Section 8-A; defining certain additional terms; making provisions with reference to the authority of the Unemployment Compensation Commission to make reasonable rules and regulations regarding seasonal workers; and declaring an emergency."

H. C. R. No. 114, A concurrent resolution "requesting the State Board of Control to investigate the matter of using paper manufactured from cotton which is purchased for State use."

H. C. R. No. 131, Authorizing W. F. Howell and wife to sue the State.

H. C. R. No. 141, Inviting Gene Autrey to address a joint session of the Legislature on May 30, 1941.

H. C. R. No. 142, Suspending Joint Rules so that the House of Representatives may bring up for third reading and final passage H. B. No. 42.

H. C. R. No. 146, Authorizing correction in caption of enrolled copy of H. B. No. 411.

#### Message from the House

The Reading Clerk of the House was recognized by the President to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir. I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 1039, A bill to be entitled "An Act defining and limiting the term 'intrastate business' as used in Article XIV, Section 1 (a) of H. B. No. 8, Acts of the Regular Session, Forty-seventh Legislature; and declaring an emergency."

The House has concurred in Senate amendments to H. B. No. 541 by a vote of 124 yeas, 0 noes.

The House has concurred in Senate amendment to H. B. No. 549 by a vote of 123 yeas, 0 noes.

Respectfully submitted,

E. L. LINDLEY,  
Chief Clerk, House of Representatives.

**Senate Bill 381 Re-referred**

On motion of Senator Van Zandt, S. B. No. 381 was re-referred from the Committee on Highways and Motor Traffic to the Committee on Criminal Jurisprudence.

**Report of Standing Committee**

Senator Brownlee, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highway and Motor Traffic, to whom was referred

H. B. No. 809, A bill to be entitled "An Act amending Section 3, Chapter 88, General Laws, Second Called Session, Forty-first Legislature, Acts, 1929, as amended by Section 1, Chapter 3, General Laws, Second Called Session, Forty-third Legislature, Acts, 1934, and as amended by Section 1, Chapter 51, General Laws, Regular Session, Forty-fourth Legislature, Acts, 1935, so as to exempt motor vehicles, trailers, and semi-trailers owned and used exclusively in the service of any drainage district from the payment of any license or registration fees to the State of Texas; providing a saving clause; providing for the repeal of all laws and parts of laws in conflict with this Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROWNLEE, Chairman.

**Recess**

On motion of Senator Formby, the Senate, at 6:05 o'clock p. m., took recess until 10:00 o'clock a. m. tomorrow.

**SIXTY-EIGHTH DAY****Continued**

(Tuesday, May 20, 1941)

The Senate met at 10:00 o'clock a. m. and was called to order by the President.

**Report of Select Committee**

Senator Formby, by unanimous consent, submitted at this time the following report:

**FARM CONDITIONS OF TEXAS**

The farm problem of Texas is probably the most important one facing the people at this time. The buying power of Texas farmers has not been up to parity during the past 10 years. So serious is the Texas farm problem that nearly one-half million people moved from farm to town during the period from 1930 to 1940.

A committee composed of Senators L. J. Sulak of La Grange, Marshall Formby of McAdoo, from the Senate; and Representatives Ben Sharpe of Paris, W. H. Rampy of Winters, and Roger Q. Evans of Denison, all from the House of Representatives, held meetings in March and April of 1941, at Hallettsville, Houston, Athens, Temple, Cisco, Lubbock, Harlingen, Waxahachie, and Denison, where they heard reports from farmers and farm leaders, and other leading citizens of Texas pertaining to the farm problems in this State.

These meetings were well attended, and in most instances most of the talking was done by farmers who told their problems and suggested many changes to help their situation.

Farmers in different parts of Texas have different problems, but there are many problems which confront all farmers in this State.

No. 1. The most serious problem in Texas is Soil Erosion. At every meeting, all farmers agreed that soil erosion had done more to destroy the wealth of Texas than any other one thing. In parts of Texas the soil has washed away and the rich top soil of Texas has found its resting place in the Gulf of Mexico. In the western part of the State soil has blown away, but farmers have recognized this danger and in using good conservation methods are succeeding in keeping the soil where nature originally placed it.

The Triple A Farm Program has done much to encourage farmers to conserve their soil and to build up their land for future generations in-